

# FLORIDA STRATEGIC PLAN ON HUMAN TRAFFICKING



**FLORIDA STATE UNIVERSITY**

**CENTER FOR THE ADVANCEMENT OF HUMAN RIGHTS**

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## Acronyms

<b>AWI</b>	Florida Agency for Workforce Innovation
<b>BJA</b>	Bureau of Justice Assistance, U.S. Department of Justice
<b>CAHR</b>	Florida State University Center for the Advancement of Human Rights
<b>CAST</b>	Coalition to Abolish Slavery and Trafficking
<b>CIS</b>	U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services (also referred to as USCIS)
<b>CIW</b>	Coalition of Immokalee Workers
<b>CJNET</b>	Criminal Justice information sharing network
<b>CLS</b>	Florida Department of Children and Families, Children’s Legal Services
<b>CP</b>	Continued Presence (temporary immigration relief)
<b>CPI</b>	Child Protective Investigator
<b>DBPR</b>	Florida Department of Business and Professional Regulation
<b>DCF</b>	Florida Department of Children and Families
<b>DEP</b>	Florida Department of Environmental Protection
<b>DFS</b>	Florida Department of Financial Services
<b>DHS</b>	U.S. Department of Homeland Security
<b>DHSMV</b>	Florida Department of Highway Safety and Motor Vehicles
<b>DJJ</b>	Florida Department of Juvenile Justice
<b>DOACS</b>	Florida Department of Agriculture and Consumer Services
<b>DOH</b>	Florida Department of Health
<b>DOJ</b>	U.S. Department of Justice
<b>FCADV</b>	Florida Coalition Against Domestic Violence
<b>FCAHT</b>	Florida Coalition Against Human Trafficking
<b>FCHR</b>	Florida Commission on Human Relations
<b>FDLE</b>	Florida Department of Law Enforcement
<b>FIAC</b>	Florida Immigrant Advocacy Center
<b>FWC</b>	Florida Fish and Wildlife Conservation Commission
<b>HHS</b>	U.S. Department of Health and Human Services
<b>ICE</b>	U.S. Department of Homeland Security, Immigration and Customs Enforcement
<b>LEA</b>	Law Enforcement Agency Endorsement

<b>LOF</b>	Laws of Florida
<b>NGO</b>	Non-Governmental Organization
<b>NHTRC</b>	National Human Trafficking Resource Center
<b>OAG</b>	Florida Office of the Attorney General
<b>ORR</b>	U.S. Department of Health & Human Services, Office of Refugee Resettlement
<b>ORS</b>	Florida Department of Children and Families, Office of Refugee Services
<b>OSI</b>	Office of Statewide Intelligence, Florida Department of Law Enforcement
<b>OVC</b>	U.S. Department of Justice, Office for Victims of Crime
<b>OVW</b>	U.S. Department of Justice, Office on Violence Against Women
<b>RICO</b>	Racketeer Influenced and Corrupt Organization Act
<b>PSA</b>	Public Service Announcement
<b>SEN</b>	Southeastern Network of Youth and Family Services
<b>SIJS</b>	Special Immigrant Juvenile Status
<b>TVPA</b>	Trafficking Victims Protection Act of 2000 (federal)
<b>TVPRA 2003</b>	Trafficking Victims Protection Reauthorization Act of 2003 (federal)
<b>TVPRA 2005</b>	Trafficking Victims Protection Reauthorization Act of 2005 (federal)
<b>TVPRA 2008</b>	Trafficking Victims Protection Reauthorization Act of 2008 (federal)
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>USC</b>	United States Citizen
<b>URM</b>	Unaccompanied Refugee Minor
<b>USCCB</b>	U.S. Conference of Catholic Bishops
<b>VAWA</b>	Violence Against Women Act
<b>VOT</b>	Victim of Trafficking

## Acknowledgements

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CAHR staff Terry Coonan, Executive Director; Robin Thompson, Senior Program Director; Wendi Adelson, Program Director; and Vania Llovera, Assistant Executive Director, jointly authored this *Plan*. CAHR interns Jose Godinez, Leah Bido, and Jackie Aguilar also assisted in its research and production.

We would also like to acknowledge and thank the many service providers, law enforcement officers, state employees, prosecutors, faith community members, attorneys, health care providers, case managers, therapists, counselors, judges, federal employees, and all who assisted us on this project. They responded to our surveys, answered our interview questions, and gave generously of their time and expertise. They informed our research with first-hand experiences of working with human trafficking survivors and on human trafficking cases. Their shared experiences are the foundation for the information in this *Plan* and its many recommendations for action.

The members, co-chairs, and staff of Florida's Statewide Task Force on Human Trafficking also greatly informed and supported this effort. A special thanks is due to Secretary George Sheldon of the Department of Children and Families for his convening of the Statewide Task Force on a number of occasions throughout the state.

Finally, we wish to acknowledge human trafficking survivors. Their voices and life stories continue to inform our work, above all. It is with them foremost in our minds and hearts that we carry this work forward.

## Executive Summary

This *Statewide Strategic Plan on Human Trafficking* assesses modern-day slavery in Florida and makes recommendations for action in response. It is divided into five sections that reflect the five areas where the Florida Legislature directed that this *Plan* should focus.

**Goal 1**, “*To have useful data that reflects and is used to evaluate the prevention of human trafficking, protection and support for victims and success in prosecuting traffickers,*” describes the trends that human trafficking have taken in Florida. Some key trends to note are that labor trafficking clearly is the most prevalent type of human trafficking that occurs in Florida and Domestic Minor Sex Trafficking (DMST) constitutes the other most prevalent and yet most under-reported and under-prosecuted human trafficking offense in Florida. Sex trafficking in general remains a scourge throughout the state and is more complex and nuanced than previously thought. The psychological coercion exercised against trafficking victims assumes many forms and should not be underestimated by law enforcement investigators. Males are increasingly being identified as human trafficking victims in Florida.

Trends related to victim assistance and resources are that after personal safety, housing remains the overwhelming need of human trafficking victims in Florida. The housing needs of U.S. citizen victims can be more difficult to meet than those of immigrant victims. Regarding the providers themselves, it is very apparent that a “vetting” process for emerging community groups who wish to assist victims of trafficking is necessary.

There are noticeable trends in the Florida law enforcement field regarding the investigation and prosecution of trafficking cases. There is a clear need for proactive law enforcement work on human trafficking cases. Trained law enforcement officers as well as state prosecutors and staff have proved effective at handling these cases and Florida needs to “trend” overall toward much greater and more in depth training. A statewide intelligence database for Florida law enforcement officials regarding human trafficking leads currently exists within FDLE’s InSite system (as part of its Violent Crime Module) but is under-utilized by state and local law



enforcement agencies. FDLE has already assumed an important role in state investigations, and should continue to coordinate and support trafficking investigations on a statewide level. The Office of the Statewide Prosecutor could play a critical role in Florida's efforts to counter human trafficking and should do so.

There is a clear and observable trend line regarding training for state agencies – where staff is trained, human trafficking cases are uncovered. This is important because regardless of how successful enhanced law enforcement efforts are, ultimately human trafficking in Florida cannot be eradicated by employing a “law enforcement only” approach.

This section also details specific cases where human trafficking has been investigated and prosecuted and offers an assessment of the availability of quantitative data on the topic. Overall, Florida has had success with a number of human trafficking efforts, with almost all of the successful human trafficking prosecutions taking place at the federal level, with the assistance and in partnership with local law enforcement, a wide range of federal officials, and with the invaluable and critical assistance of non-governmental organizations. The human trafficking cases in Florida have included many different “faces” of trafficking victims, including those of domestic minor sex trafficking, immigrants and U.S. citizens who were enslaved in agricultural production, domestic servitude, or forced labor, and both domestic and international victims of adult sex trafficking.

With these successes in mind, it is important to do more to identify victims of trafficking, assist them, and bring their traffickers to justice. Because human trafficking can include a wide range of offenses, it is crucial that law enforcement focus even greater attention on traffickers and prosecute them to the fullest extent and on the greatest number of criminal acts possible. There are many state prosecutors, including the statewide prosecutor, and those with civil enforcement duties, who have not yet filed a human trafficking case. Work with federal authorities must grow and continue, but this should not be a substitute for stronger statewide enforcement of state criminal, civil, and administrative laws and regulations.

**Goal 2,** *“To have a resource directory of all service programs that is user-friendly and current”* addresses the need to have and maintain an up-to-date resource directory for all persons and organizations that assist victims of trafficking in Florida. Prior to this *Plan*, no such listing was available. People at the state and local levels may know of their own local anti-trafficking victim services programs, but in the main, many do not.

This resource directory is the first step toward having a comprehensive listing of available services. While it includes programs identified by local anti-trafficking task forces and coalitions, governmental agencies, NGO’s and others, it is not exhaustive. The resource directory will remain a work in progress; this *Plan* recommends that service providers and the FSU Center for the Advancement of Human Rights work to keep it updated and current. This section also includes a table of all anti-trafficking task forces, coalitions, and points of contact around Florida. These local community coordinated efforts are at the heart of community involvement and anti-trafficking public awareness campaigns. They are also key to providing the most effective, efficient, and coordinated care to trafficking survivors. Local law enforcement and prosecutors work best when they coordinate human trafficking case investigation and prosecution in their local task forces.

**Goal 3,** *“To deploy effective public awareness strategies”* outlines local, state, national, and international human trafficking public awareness strategies and notes how public awareness is central to assisting victims of human trafficking statewide. This section emphasizes how important it is for public awareness campaigns to have broad support, involve diverse activities, and have an accurate and concise message. Public awareness efforts also must be culturally sensitive and focused and ensure that the groups they are intending to reach (whether U.S. citizen teens, Haitian nationals, or Asian women, etc.) themselves participate in both the formulation and the delivery of the communications. It is also imperative that professional groups and specific sectors receive information and training that is relevant to their work.

There are a host of creative and effective public awareness campaigns and methods currently being deployed throughout Florida.

It is incumbent that service providers, law enforcement, and all professionals whose jobs take them into workplaces for inspections receive human trafficking awareness training. Finally, the many different Florida-based human trafficking awareness campaigns should learn from one another and share promising practices and other tools of public awareness efforts with the help of a centralized data base that contains all current campaigns, curricula, evaluation studies, and best practices regarding public awareness.

**Goal 4, “To enact effective laws to protect and support victims and punish traffickers”** provides an overview of Florida’s human trafficking laws. Since the first human trafficking law was enacted in Florida, the state has made notable progress and its criminal code, for the most part, mirrors federal provisions in the areas of both adult and child trafficking. Florida law provides civil compensation for victims of trafficking, an important reform for victims that has yet to be used to help them. To fully carry out these laws, those charged with their enforcement and implementation, including law enforcement, prosecutors, attorneys, judges, and others in the justice system must be fully educated on human trafficking. Current laws which exhort this education among many in these key groups still remain to be fully implemented.

The Florida Legislature should consider further reforms to include: regulating temporary employment agencies – which often serve as “safe havens” for traffickers to exploit labor; enhancing the sentencing level for sex trafficking convictions; reforming laws to assist victims of domestic minor sex trafficking including providing resources for residential and other program assistance; creating legal protection for communications between human trafficking advocates and the trafficking victims they serve (similar to the protected communications that exist between victims of domestic or sexual violence and those who serve them); enacting laws to require the posting of the national trafficking hotline number wherever alcohol is sold; and posting anti-trafficking information in locations where employee rights information is posted,

as well as at Florida highway rest areas. Finally, Florida needs to have a dedicated source of revenue to assist victims of trafficking and Florida anti-trafficking efforts – one worthy reform would be to impose fines and penalties on those labor contractors and other employers who egregiously exploit and enslave workers.

**Goal 5,** *“To have strong and effective local and state programs, law enforcement, social services, justice system and other community responses that protect and support victims and punish traffickers, especially among those communities that are disproportionately affected by human trafficking,”* details how government, law enforcement, and social services have addressed the issue of how to develop and sustain effective programs to best assist victims of trafficking, particularly those who are in communities that are most affected.

The section is divided into three parts. The focus of the first is on the need for government, particularly at the state level, to address human trafficking. The overwhelming recommendations for government focus on the need for greater training and awareness. Government employees and contractors must learn how they might encounter human trafficking in their work and how they can and should respond. From food inspectors to workers compensation fraud investigators, state and local government employees are the “eyes and ears” that enter workplaces and, with training, could detect and report suspected human trafficking to law enforcement. Their presence is expected and regular; thus, they have the ability to greatly assist state efforts to root out trafficking. Government is also an important partner in educating the public and spreading public awareness information regarding human trafficking and how Floridians can work together to end it.

The second section describes the issue of effective and safe services for victims of trafficking and how Florida can more effectively assist survivors. Those agencies providing legal and social services such as housing, health care, job training, and overall case management need greater resources to effectively do their jobs. Across the state, service providers encounter common obstacles, many of which can be resolved with greater coordination between local agencies and

organizations. The third section recaps some information regarding law enforcement responses and offers specific recommendations for action, focused once again on the need for more training and the need and benefits of developing fruitful and sustained partnerships within communities.

## Introduction

Human trafficking is a problem of great significance in the State of Florida. In response, scores of people, organizations, and agencies from all over the state have worked diligently and successfully to assist victims of trafficking and to punish perpetrators. These efforts have been extensive and ground-breaking. Most importantly, they have made a difference in the lives of many victims and have resulted in traffickers, cumulatively, serving hundreds of years in prison.

However, there remains much to do. Florida is near the top of the list of states where human trafficking occurs. Hundreds, perhaps thousands, of victims remain unidentified and so remain enslaved within our borders. Law enforcement, service providers, governmental agencies, and others around the state are constrained by tight budgets and increasing demands for services. The foundations have been laid, but much more and greater work needs to be done in Florida to help victims of trafficking and prevent modern slavery from happening in the first instance. Individuals need to work together and continue to build partnerships. Partnerships among government and the private sector, among service providers and law enforcement, among businesses and consumers, and among the hundreds of community groups around Florida – from the faith community to local chambers of commerce – all need to receive more support and become more effective in ending human trafficking in this state.

In response to this acute need, the Florida Legislature created the Florida Task Force on Human Trafficking “...for the express purpose of examining the problem of human trafficking and recommending strategies and actions for reducing or eliminating the unlawful trafficking of men, women, and children into this state.”<sup>1</sup>

### Strategic Planning and This Strategic Plan

The legislation that created the Task Force directed the Center for the Advancement of Human Rights at Florida State University to provide the Task Force with a “Statewide Strategic Plan on

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<sup>1</sup> See Appendix A for Chap. 2009-95, L.O.F.

Human Trafficking.” The Legislation also directed the Task Force to later issue its own “implementation” plan.<sup>2</sup> Additionally, the law specified the five areas to be included in the Strategic Plan: (1) description of available data; (2) identification of available victim programs and services; (3) evaluation of public awareness strategies; (4) assessment of current laws; and (5) list of recommendations produced in consultation with governmental and non-governmental organizations.<sup>3</sup>

A “strategic plan” contains specific components. First of all, strategic planning involves a process whereby an entity conducts an assessment of its strengths, resources, and challenges, and decides upon an overall vision, mission, goals and objectives, and strategies for implementation. This *Plan* contains all of these elements and is essentially the first stage of a two-part process outlined in the law that begins with this *Plan* and concludes with the Task Force submitting a final Implementation Plan.

This *Plan* provides an assessment of human trafficking efforts in Florida and is organized according to the five key areas outlined in the law. In addition, it offers a vision, a mission, and goals/objectives that are based on the legislation tasking the Center with the *Plan’s* creation.

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<sup>2</sup> See Appendix C for a description of Task Force membership and activities.

<sup>3</sup> *Ibid.* (4) The Florida State University Center for the Advancement of Human Rights shall:

(a) Collect and organize data concerning the nature and extent of trafficking of persons in Florida and measure and evaluate the progress in the state in preventing trafficking, protecting and providing assistance to victims of trafficking, and prosecuting persons engaged in trafficking activities;

(b) Identify available federal, state, and local programs in this state which provide services to victims of trafficking, including, but not limited to, health care and human services, housing services, education services, legal assistance, job training or preparation classes, interpreting services, English as a Second Language classes, and victim’s compensation;

(c) Evaluate approaches to increase public awareness of trafficking, particularly the risks of becoming a trafficking victim; the common recruitment techniques; the use of debt bondage, blackmail, forced labor and services, prostitution, and other coercive tactics; the crime victims’ rights; and the reporting of recruitment activities involved in trafficking;

(d) Analyze the current state, local, and federal criminal statutes for their adequacy in addressing trafficking and, if the analysis determines that those statutes are inadequate, recommend revisions to those statutes or the enactment of new statutes that specifically define and address trafficking; and

(e) Consult with governmental and nongovernmental organizations, especially those specializing in stopping trafficking or representing diverse communities disproportionately affected by trafficking, in developing recommendations to strengthen state and local efforts to prevent trafficking, protect and assist victims of trafficking, and prosecute traffickers.

Finally, this *Plan* makes specific recommendations or “strategies” that are typical in strategic plans.

### The Strategic Planning Group and Assessment Stage

The strategic planning group for this process was multi-leveled and broad-based. The Statewide Human Trafficking Task Force was a prime mover and provided guidance throughout this process.<sup>4</sup> In addition, the Center’s staff interviewed scores of experts and professionals working in the Florida anti-trafficking field, along with many others who did not have expertise or even familiarity with the issue. Individuals and organizations throughout the state and the nation have assisted in assessing human trafficking in Florida and in making important recommendations for improvements. This Plan is also supported by the experiences of human trafficking survivors as related to service providers, law enforcement officials, and others who have worked directly with them.

### Vision and Mission

#### **Vision Statement**

To eliminate human trafficking in Florida.

#### **Mission Statement**

To provide a framework and a plan of action to assist and support victims of human trafficking and to punish and hold traffickers accountable under law.

### Goals

Each of these five Goals corresponds to one of the five directives issued by the Legislature in its bill directing the Center to develop the Strategic Plan. The Center has reformatted these directives so that they reflect proper strategic plan formatting and purpose.

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<sup>4</sup> See Appendix C for a listing of all Task Force members and for a general description of its work to date.



## Goals

1. To have useful data that reflects and is used to evaluate the prevention of human trafficking, protection and support for victims, and success in prosecuting traffickers.
2. To have a resource directory of all service programs that is user-friendly and current.
3. To deploy effective public awareness strategies.
4. To enact effective laws to protect and support victims and punish traffickers.
5. To have strong and effective local and state programs, law enforcement, social services, justice system and other community responses that protect and support victims and punish traffickers, especially among those communities that are disproportionately affected by human trafficking.

This Plan is divided into five main sections, each corresponding to these five Goals. Within each section are subsections and specific recommendations for action. These recommendations should be seen as “strategies” to accomplish the specific Goal under which they appear. Because this document is a *Strategic Plan* it is hoped that its worth and usefulness will derive from both its assessments *and* its recommendations for *action*.

## **GOAL 1: To have useful data that reflects and is used to evaluate the prevention of human trafficking, protection and support for victims and success in prosecuting traffickers.**

This Goal is divided into three sections. The first discusses trafficking trends, the second details major human trafficking prosecutions that took place in Florida from 2004 to 2010 and the final section discusses data. The first two sections provide extensive qualitative data and paint a picture of the wide scope of human trafficking in Florida, the tactics used by traffickers and the breadth of harms endured by victims. These cases also illustrate the extensive work done by state and federal officials and service providers across the state to bring traffickers to justice and to assist victims. The third section on data illustrates, once more, that quantitative data on the number and extent of human trafficking in Florida is elusive and more needs to be done to obtain more complete and accurate information.

### **Current Trafficking Trends**

Research conducted by the FSU Center for the Advancement of Human Rights between 2004 and 2010 reveals that human trafficking very much remains a Florida reality. Moreover, trafficking appears to be evolving in recent years. Based upon case research as well as FSU interviews conducted with law enforcement officials and service providers throughout the state, the following are discernible trends in trafficking here in Florida:

**Labor trafficking is the most prevalent type of human trafficking that occurs in Florida.** The largest number of trafficking victims identified in Florida between 2004 and 2010 involved persons exploited for forced labor, and debt servitude is often the preferred means of coercion. The two sectors of Florida's economy where forced labor appears most prevalent are **(1) the agricultural sector** and **(2) the tourism and hospitality industries.** Florida's agricultural sector has long been rife with labor exploitation. The pre-eminent farm workers' rights group in the state, the Coalition of Immokalee Workers, notes that human trafficking represents merely one extreme on an entire continuum of systemic farm labor abuses. Recent years have also

witnessed the emergence of patterns of human trafficking in Florida hotels, resorts, and tourism venues. Unregulated temporary employment agencies are typically the actors responsible for this trafficking. One investigator in a Panhandle Sheriff's Office observes that exploitation and human trafficking appear to be the rule, rather than the exception, among Florida's unregulated "temp" agencies. Such companies routinely violate wage and hour law, use physical force and psychological coercion against employees, and refuse to pay medical treatment for injured workers. Traffickers also continue to prey on victims' vulnerabilities, for instance targeting workers who have histories of homelessness, substance abuse or mental illness.

It is common practice for contractors to rent a house, and then use that residence to house as many as 10-20 seasonal workers, often requiring them to sleep on the floor or two to a bed. The contractors typically deduct money from the workers' paychecks, charging them for housing fees, transportation fees, cleaning fees, uniform fees, visa fees, etc. Such deductions invariably cause the hourly rate paid to the workers to drop far below the federal minimum wage, at times even resulting in workers receiving a net pay of zero. Workers who complain are often threatened with eviction or deportation.

**Domestic Minor Sex Trafficking constitutes the other most prevalent and yet most under-reported and under-prosecuted human trafficking offense in Florida.** While international victims of trafficking remain especially vulnerable in Florida, U.S. citizen minors exploited in prostitution and in Florida's adult entertainment industry potentially constitute the state's other very sizable victim population. Perhaps the most important step taken by the U.S. anti-trafficking community in recent years has been the gradual recognition that thousands of our own U.S. citizen children are in fact victims of trafficking. It is estimated that at any given moment, there are between 30,000 to 40,000 pre-teen and teenage runaways in Florida. As a group, they are tremendously vulnerable to exploitation by pimps or to abuses in Florida's adult entertainment industry. Advocates note that the "recruiting" of runaway or throw-away

children for sexual exploitation is increasingly done on the street, at schools and in malls, online through Myspace and Facebook, and even outside juvenile courts.

When encountered by the law enforcement and judicial systems, many of these exploited children are often erroneously dealt with as criminals. Yet just as minors cannot consent to sex, neither can they legally consent to prostitution. Both state and federal law are clear that prostituted children are victims rather than criminals. Nonetheless, children under the age of 18 are at times still arrested for prostitution in Florida. There is, moreover, very little funding available for their care or protection. Two non-governmental organizations in Florida—Kristi House in Miami, and the KlaasKids Foundation in Pensacola—are among the leading organizations in the state to both care for U.S. domestic minor victims of sex trafficking and to call attention to their plight. Secure housing remains the most acute need for these children, as well as intensive recovery and support services.

**Sex trafficking remains a scourge throughout Florida.** Florida law enforcement continues to find and investigate sex trafficking schemes throughout the state. In contrast to earlier Florida sex trafficking cases (such as the 1997-1998 *Cadena* case), sex trafficking operations now rely much less on stationary brothels. Increasingly, they instead comprise “mobile brothels”—prostitution delivery services in which the women are driven to clients’ private residences or receive clients in rented hotel rooms. The utilization of mobile brothels appears to be motivated by more than the need to simply avoid law enforcement scrutiny. It is also an effort to avoid the armed robberies that have plagued the immigrant community in recent years in Florida. In addition to being mobile, Florida sex trafficking has also become a circuit. Victims appear to be moved frequently, often being brought in from out-of-state to a variety of Florida cities for short periods of time. One Florida detective notes that the internet has become the new “virtual street corner” for prostitution and sex trafficking. Whereas a few years ago prostitution might have been advertised primarily in the back pages of free community newspapers, it is now more frequently facilitated through websites such as Craigslist or Backpage.com.

A number of recent Florida sex trafficking schemes have relied on decidedly “low-tech” means of advertising in order to evade law enforcement detection. The *Melchor* and *Monsalve*<sup>1</sup> sex trafficking rings in north and central Florida depended on the distribution to local Hispanic males of small “business cards” which contained only the pimp’s cell phone number and a silhouette of a taxi or a nude woman. The same two cases also confirmed that Florida sex trafficking has very much become a multinational venture: while the perpetrators in these cases were almost exclusively Colombian, they lured and exploited victims from all over Latin America (including women from Guatemala, El Salvador, Honduras, Puerto Rico, the Dominican Republic, Nicaragua, and Colombia). Earlier Florida sex trafficking cases more typically witnessed the exploitation of women by their fellow foreign nationals. In its newfound diversification in Florida, sex trafficking once again appears to embody the dark underside of globalization.

**Sex trafficking is more complex and nuanced than perhaps previously thought.** Early sex trafficking cases reported in Florida often involved very “black and white” scenarios of exploitation, in which the women exploited sexually constituted what are now termed “iconic victims.” That is, they were women who had unquestionably been deceived by false promises of jobs and then forced into prostitution by the brutal use of force or at times by threats of force against family members back in the victims’ home countries. More recent Florida cases do not always admit of such black and white characterizations. Brothel raids and prostitution investigations by Florida law enforcement are instead revealing cases now in which women who have willingly migrated for sex work are found alongside women who are being trafficked sexually against their will. Law enforcement officials are encountering scenarios that are much more complex because they involve both consenting and non-consenting participants in prostitution ventures.

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<sup>1</sup> See pages 21 – 24 for a full description of these cases.

Importantly, even women who have supposedly “consented” to prostitution may still be trafficking victims. The *Melchor* and *Monsalve* sex trafficking investigations identified a number of women who by their own admission had been smuggled into the United States knowing that they would pay off their smuggling debts through prostitution. They had not, however, consented to what actually awaited them: the requirement that they undergo 35-40 sexual transactions per night, a complete loss of their freedom of movement, and the confiscation of their identity documents by pimps. These women became trafficking victims notwithstanding the fact that they may have initially consented to prostitution.

This reality underscores how imperative it is that law enforcement investigators establish a relationship with the potential sex trafficking victims whom they interview. Victims often do not self-identify immediately, and will only disclose the complete details of their exploitation after a measure of trust has been established with their interviewer. The full magnitude and the complexity of commercial sexual exploitation may become discernible only after a more in-depth assessment of what may initially appear to be consensual prostitution. As always, victim-centered investigations are absolutely imperative. Potential victims should be “interviewed” and not “interrogated.”

**The psychological coercion exercised against trafficking victims assumes many forms and should not be underestimated by law enforcement investigators.** One of the most formidable challenges facing law enforcement officials in Florida and throughout the country is the task of recognizing the multiple forms of psychological coercion (the “invisible chains”) that increasingly are used to control trafficking victims. Modes of coercion such as debt servitude, threats against the victim’s family, or threats of deportation are never immediately visible. Law enforcement officials not only need to be alert to indications of such coercion, but must also better credit the full effect of such threats upon victims.

**Males are increasingly being identified as human trafficking victims in Florida.** While women and children remain especially vulnerable to exploitation, male victims of human trafficking are

increasingly encountered throughout the state. This includes U.S. citizen males (for example, the homeless men exploited for field labor in the *Evans* case in Palatka) and foreign national males (routinely exploited in the agricultural sector as seasonal migrant workers or as seasonal workers in the hotel and tourism industries). Secure housing remains a particularly acute problem for male victims after they are rescued. Even basic victim identification in cases involving males can prove difficult. For reasons of culture or learned gender roles, many men resist seeing themselves as “victims,” and instead merely refer to their exploitation as “bad jobs” from which they cannot escape.

**After personal safety, housing remains the overwhelming need of human trafficking victims in Florida.** While males face especially daunting challenges in finding housing after rescue or escape from trafficking situations, this is true to some degree for almost all trafficking victims in Florida. Many shelters have very strict limitations on how long residents may stay there, and long-term housing for trafficking victims is particularly difficult to secure. Because the prosecutions in which trafficking victims may be involved as witnesses can stretch on for months—or even years—safe and affordable housing becomes even more vital.

**Somewhat ironically, the housing needs of U.S. citizen victims can be even more difficult to meet than those of immigrant victims.** The most critical need in this respect is for housing that is both secure and therapeutic for **domestic minor victims of sex trafficking**. Advocates for these U.S. citizen child victims point out that there is an almost complete dearth of housing that is appropriate for these minors. Because many have been victimized by pimps who continue to exercise great emotional control over them, a secure housing option that approximates a “lockdown” situation is virtually necessary when they are first encountered. On the other hand, such children are victims rather than criminals, and outright detention is therefore inappropriate. Group homes and foster care placements are not viable alternatives, because such teenagers comprise strong flight risks whose first instinct is often to return to their pimp. Kristi House in Miami has been a strong advocate of Florida adopting “**Safe Harbor**” legislation such as has been proposed in the California and New York legislatures. A Safe Harbor Act would

result in the creation of short-term “safe shelters” in Florida for the care of sexually exploited children. These shelters would be secure facilities (much as a detention center would be) but would not duplicate the more draconian elements of actual detention facilities. They would instead comprise “home-like” environments where a sexually exploited child would be housed after having been encountered by law enforcement, juvenile detention officials, or professionals serving runaway or homeless youths. Unlike foster homes or group homes, such facilities would in fact be secured in order to preclude flight on the part of the child. While the child remains in residence, he or she would receive intensive therapy, counseling, and support services. As a secure facility, the safe harbor house would nonetheless preclude contact between the child and their exploiter (namely pimps). In addition to the child receiving very targeted therapeutic care during their stay in the safe harbor home, he or she would also be afforded the time to understand that their pimp is not a caregiver but rather a predator.

**There is a need for proactive law enforcement work.** Police and prosecutors alike throughout Florida noted that their roles in investigating trafficking cases have been almost exclusively reactive to date. That is, they have responded to trafficking cases when they encountered a victim or were referred a case by a non-governmental organization. A number of the prosecutors and law enforcement officials who were interviewed emphasized that in order to more effectively combat human trafficking, a law enforcement investigatory model that is proactive will be required. One officer urged that tools such as those utilized against organized crime and drug traffickers—wiretaps, paid confidential informants, and undercover work—should likewise be employed against human traffickers. A Florida prosecutor added that law enforcement should also begin gathering “intelligence” on hotels or growers who appear to be profiting from trafficking, and should utilize plea bargains with lower level offenders in order to successfully prosecute those higher up the “chain.”

**A statewide intelligence database for Florida law enforcement officials regarding human trafficking leads and perpetrators is very much needed.** State and local law enforcement officers interviewed for the Strategic Plan were almost unanimous in their call for the creation



of a statewide database on human trafficking for law enforcement. They recognized that the very nature of human trafficking means that it is a crime that invariably crosses county lines and involves multiple jurisdictions, and that any number of local Florida law enforcement agencies might be simultaneously investigating the same case. State and local investigators suggested that the following be included in such a database:

- **Suspects**
- **Known pimps**
- **Businesses identified or being scrutinized for human trafficking**
- **Massage Parlors and their owners**
- **Addresses, telephones, and aliases of potential suspects**
- **Vehicles and license plates associated with potential suspects**
- **Networks of agricultural brothels**
- **Subcontractors in Florida agriculture, hospitality, or service sectors who appear to rely on labor trafficking or exploitation**
- **Current leads on cases**

This database, agreed all the law enforcement officials interviewed, should be confidential and secured for law enforcement use only.

**The Florida Department of Law Enforcement has already assumed an important role in state investigations, and will be crucial for coordinating and supporting trafficking investigations on a statewide level.** FDLE has assumed a central role in Florida trafficking investigations, and it is logical that they should continue this leadership. The creation and maintenance of a statewide database on trafficking would furthermore be a natural role for FDLE, which has tremendous expertise in this area. Another important contribution on the part of FDLE would be for the agency to post information about domestic minor sex trafficking on its Missing Endangered Person Clearinghouse website, underscoring the vulnerability of runaway and missing children to commercial sexual exploitation.

**Training for veteran Florida law enforcement agents is still needed.** While the Florida Legislature has mandated that all new Florida law enforcement recruits receive eight hours of training on human trafficking, there is no such requirement for officers already in the field. This could be accomplished through the institution of a mandatory four to eight hour training on human trafficking that all sworn officers in Florida would be required to complete within four years. FDLE has already created both a basic curriculum on human trafficking for training recruits, and an advanced 40 hour curriculum for Florida investigators. The agency is therefore optimally suited for developing a mandatory statewide training on trafficking for all active duty Florida law enforcement officers. Ideally this training would be available both as a live training module in Florida police academies and community colleges where ongoing training has traditionally been made available to active duty officers, and also through an online curriculum that could be completed in sections. In addition, Florida's Sheriff offices and police departments could complement this longer training with shorter in-service trainings such as briefings and roll calls.

**Training for Florida prosecutors is urgently needed.** Florida has had state laws criminalizing human trafficking since 2004, but to date few cases have been prosecuted. There may be a number of reasons for this dearth of state trafficking prosecutions: the Florida law has yet to be "tested" in court, there is no case law to guide prosecutors, and prosecutors' dockets are critically overloaded as a result of state budget cuts. Nonetheless, some state and local law enforcement officers report bringing cases to state attorneys that are not acted upon. Clearly training on human trafficking cases and on state law criminal statutes should be made available to the 20 State Attorney offices throughout Florida. It is almost always local law enforcement officers who encounter and recognize human trafficking crimes. Unless they are confident that their local prosecutor will pursue a case, they have little incentive to do so themselves.

**The Office of the Statewide Prosecutor could play a critical role in Florida's efforts to counter human trafficking.** Just as FDLE's statewide mandate makes it an optimal law enforcement agency to investigate trafficking, the Office of the Statewide Prosecutor is likewise ideally

situated to prosecute trafficking cases that cross the boundaries of Florida’s judicial circuits (which means virtually every trafficking case in Florida). Moreover, Florida human trafficking cases bear all the hallmarks of other crimes that the Office of the Statewide Prosecutor has particular expertise in: **organized crime, money laundering, violent crime**, and—especially relevant to the recruiting of U.S. citizen minors for prostitution—**internet predators**.

**Training for state agencies is crucial—and it pays off.** Trainings that have been implemented to date for state agencies on human trafficking have borne striking results. In the first year after the Florida Immigrant Advocacy Center, under contract with the Department of Children and Families (DCF), the FSU Center for the Advancement of Human Rights and others designed and implemented the training for DCF Hotline workers, child protective investigators and community based care agencies on human trafficking, there were 156 trafficking investigations, with 22 verified cases resulting from those investigations. In a similar vein, two weeks after completing the FDLE Advanced Investigative Training on Human Trafficking, a detective from the Pinellas County Sheriff’s office broke the “Treasure Island” sex trafficking case that involved the exploitation of multiple U.S. citizen women in strip clubs and escort services in the Tampa Bay area. And in West Palm Beach, Department of Health nurses making a home call on an immigrant teenage mother alertly recognized that she was an ongoing victim of sex trafficking and were able to arrange for her rescue within 24 hours by the FBI. The trend is unmistakable: once provided training, Florida agencies can play a crucial role in identifying and combating human trafficking.

**However successful enhanced law enforcement efforts are, ultimately human trafficking in Florida cannot be eradicated by employing only a “law enforcement approach.”** An increase in human trafficking investigations and prosecutions—especially by local law enforcement and by state prosecutors—is certainly crucial for reining in patterns of modern slavery. The role of the Florida Attorney General Office in prosecuting unfair trade cases and labor violations is also vital. However, given the pervasiveness and the sheer profitability of human trafficking in Florida, the criminal justice system alone will not significantly reduce human trafficking. State regulatory agencies that maintain licensing or investigative branches also have a crucial role to

play in countering human trafficking. This includes the **Department of Business and Professional Regulation (DBPR)** — and particularly DBPR’s **Division of Alcoholic Beverages and Tobacco (ABT)** and its **Farm Labor Contractor Program**, along with the Departments of **Financial Services (DFS)**, **Health (DOH)**, **Environmental Protection (DEP)** and **Agriculture and Consumer Services (DOACS)**. The role of such state agencies is especially vital in combating labor trafficking, through vigilant contract and licensing monitoring.

Moreover, licensing and regulatory officials enjoy routine access to sites where trafficking occurs but where sworn law enforcement officials might require a warrant to search. These include premises such as bars, massage parlors, restaurants, agricultural fields, construction sites and other places where trafficked workers can be found. And because they visit these worksites on such a regular basis, regulatory officials may provoke little to no suspicion on the part of traffickers. In addition to their regulatory functions, such officials can therefore serve as the “eyes and ears” of their local community.

**Some kind of “vetting” process for emerging community groups is now most likely necessary.**

A host of new community and non-governmental groups are evolving in response to human trafficking in the state of Florida. Such groups play an increasingly important role in efforts to engage civil society in the battle against modern slavery. This trend, however, has not been without complications. Florida has witnessed a number of scams in recent years, often perpetrated by persons claiming to raise funds for human trafficking victims. Given the sensationalism of sex trafficking, many such schemes promise comfort and care for young women victimized by sex traffickers. Scrutiny of such groups often reveals that the only operative feature of their organization is the “Donate” link on their website. Some kind of regulation of emerging service providers is clearly needed, both for the safety of victims who these organizations purport to assist and for the general public so that it can safely rely on the organizations’ claims before donating money.

Well-meaning community organizations are also evolving with the mission of rescuing victims from human trafficking situations. In some instances they cross the line into the realm of law enforcement investigations, impeding or compromising professional law enforcement efforts to surveil and arrest traffickers. Non-governmental organizations should be very clear that it is the task of sworn law enforcement officers to provide armed intervention in cases involving human trafficking—and not that of well-intentioned civilians. Accomplished non-governmental groups such as the Klaas Kids Foundation and the Coalition of Immokalee Workers continue to set the standard for how private organizations can engage in successful rescue efforts that complement law enforcement roles and responsibilities.

## Florida Trafficking Prosecutions, 2004-2010

Since 2004, Florida has witnessed a series of prosecutions for human trafficking, the majority of them in federal courts. Notably, such cases included sex trafficking and labor trafficking of both immigrants and U.S. citizens. Examined together, the cases reveal patterns of crime and of victimization that are occurring throughout the entire state and that involve tremendously varied perpetrators and victims.

**Boca Raton Manuel and Baldonado labor trafficking case (2010).** In November of 2007, over 50 workers from the Philippines were brought to Boca Raton by Filipino natives Sophia Manuel and her husband Alfonso Baldonado. Owners of two employment leasing companies called “Quality Staffing Services Corporation” and “DAR Workforce Solutions USA,” Manuel and Baldonado promised the workers free housing and full-time jobs in food service at a Boca Raton country club. The workers were all recruited in the Philippines through a Manila-based agency that specialized in providing laborers to the United States. The Filipino recruiters lured potential workers with pictures of upscale Florida homes, beautifully manicured lawns, and scenes from Disney World.

Each of the workers recruited incurred debts of between \$3,000 and \$8,000. The Filipino recruiting agency charged them the money upfront and the workers were left to borrow the funds from family or from loan sharks in order to pay the initial “recruiting fee.” The Filipino company also filled out their immigration paperwork, advising them to lie to U.S. consular officials regarding the exact employer supposedly sponsoring them. All of the workers entered the United States legally on H-2B temporary work visas.

Upon their arrival, a very different world awaited the migrant workers than the one they had seen in the recruiters’ brochures. Instead of the work and the accommodations promised them, they instead found low-paying part-time jobs, and as many as 30 of them were forced to live in a three bedroom house in Boca Raton. Manuel and Baldonado confiscated the workers’

passports and return airline tickets, and threatened them with deportation if they complained. The workers were not allowed to leave their residence without permission, and money was routinely deducted from their earnings to supposedly cover the costs of uniforms, transportation, and visa renewals. After the weekly wage deductions by Manuel and Baldonado, none of the workers earned a federal minimum wage. The defendants also told the workers that they could buy out their contracts for \$10,000 to \$15,000, and this too was added to the debt that each worker believed that he or she owed.

In addition to their overcrowded living conditions, the newly-arrived workers were provided with little to no food. It was when they began begging for food donations at a local Catholic church that their plight was brought to the attention of Angelo Macatangay, the Honorary Consulate General of the Philippines in south Florida. Investigating their situation, he and his wife discovered that the 30 plus workers held in the one Boca Raton house were sleeping in the yard, in the garage, in piles of garbage, and on the floor. A number of them were sorting through the garbage for food when they were rescued.

Many of the victims were from rural areas of the Philippines, and proved especially susceptible to the false promises made by the Filipino recruiting company and the Filipino-owned contracting companies in the U.S. Still other victims were merchant sea men who had staked everything they had ever earned on the prospects of finally acquiring a “land job.” Numerous victims expressed great fear of what the loan sharks back in their home country would do to their families if the loans they took out to pay off their recruitment fees were not paid back. Still others were told that they would be prosecuted by the Filipino government if they abandoned the employer who had sponsored them for their H-2B visa. Upon their rescue, the needs of the victims proved especially challenging for Florida non-governmental service providers. Finding emergency housing for such a large group proved daunting, and many of the abused workers were eventually provided shelter by the Florida Coalition Against Human Trafficking (FCAHT). Most, though not all, of the victims were granted Continued Presence by ICE, and have remained in south or central Florida.

It was not a federal investigation but rather a wage and hour lawsuit filed by the Florida Attorney General that launched the case. Named in the civil lawsuit were Manuel and Baldonado as owners of the labor contracting company, along with the Boca Woods Country Club Association and Boca Woods Property Owners' Association, as the owners of the Boca Woods Country Club. Under the Florida Deceptive and Unfair Trade Practices Act, The Attorney General's Office sought \$10,000 per labor violation and an injunction prohibiting the owners and companies under investigation from engaging in any kind of business involving temporary workers. Florida Attorney General Bill McCollum declared of the victims: "these people came to Florida believing they would have a chance at the American dream of earning a decent wage to provide for their families. Instead, they were trapped in low-wage positions and have had to depend upon handouts from friends to survive because of the apparently deceptive manner in which they were recruited."

More than two years later—in April 2010—a federal grand jury in West Palm Beach indicted Manuel and Baldonado on human trafficking offenses, also charging Manuel with visa fraud and falsifying information to obtain foreign labor certifications. Manuel and Baldonado pled guilty to the federal charges in September 2010 and currently await sentencing. This forced labor case is testimony to the manner in which human trafficking can infest legitimate Florida industries, as well as the reality of how so-called "middlemen" labor contractors remain among Florida's most notorious human trafficking offenders. The case is a further reminder of how human trafficking can pervade Florida's most upscale country clubs and resorts, and how trafficking victims can be found housed even in Florida's most affluent neighborhoods.

The *Manuel and Baldonado* case also provides a glimpse of how rife for abuse the H-2B visa program is, especially for its lack of scrutiny regarding employers. The very nature of the visa—allowing the foreign worker to be employed only by the petitioning employer—creates a dependency relationship that all too readily lends itself to human trafficking. And finally, the case illustrates how important proactive efforts by state agencies can be in combating modern



trafficking abuses. In this instance it was action by the Florida Attorney General's Office—and not the federal government—that launched the case and served as a “placeholder” for over two years before a federal grand jury was convened to pursue the case criminally on human trafficking grounds.

**Orlando Nelson domestic sex trafficking case (2010).** Escort agencies advertising through the internet have become a mainstay of Florida's commercial sex industry. Part of the law enforcement response to this situation in central Florida has been the formation of the Metropolitan Bureau of Investigation (MBI) in the 9<sup>th</sup> Judicial Circuit. MBI brings together law enforcement agents from several jurisdictions, along with state attorneys, in order to combat vice crimes that often cross city and county boundaries.

In late 2009, MBI conducted an escort detail monitoring potential prostitution operations being perpetrated through internet advertising. In the course of their investigation, they encountered a young woman engaged in prostitution in a local hotel. During her initial police interview, the young woman mentioned that her participation in the prostitution scheme had been the result of a debt she initially incurred when she borrowed money from a man named Benji Nelson to repair her car. She had been slowly paying him back when she was arrested on shoplifting charges. Nelson bonded her out of jail, but then told her she would have to work for him in prostitution to pay back the bond money she owed.

Along with a juvenile female accomplice, Nelson then induced the victim to engage in hotel-based prostitution advertised through an internet website. Nelson and his accomplice posted the victim's photo on the internet escort site, arranging for her to go to local hotels to perform the acts of prostitution. The victim had a five month-old child, and Nelson and his fellow perpetrator would make her drop the child off to them as collateral. The child would not be returned to her until she had turned over a required amount of money to them on a daily basis. MBI investigators recognized the indicators of sex trafficking in her account, and helped arrange

a meeting between the pimps and the victim at a local Walmart parking lot in order to rescue the victim's child.

The two perpetrators were arrested and charged under Florida's statute criminalizing sex trafficking. The juvenile suspect chose to make a plea deal for lesser charges but Nelson elected to take his case to trial. MBI and its victim advocates maintained close contact with the victim throughout the prosecution, including providing transportation for her to the depositions and the trial itself. The victim's personal testimony at trial proved crucial, and the jury found Nelson guilty of sex trafficking. The victim chose to speak at the criminal sentencing, and her testimony clearly moved the judge. Nelson was sentenced to 12 years prison—a significant criminal penalty under state law.

As one of the first jury trials in Florida to be successfully prosecuted under the state's new human trafficking statute, the *Nelson* case sets an important precedent. It demonstrates the viability of Florida's anti-trafficking laws, as well as the ability of Florida juries to convict under these laws. The case is also a testimony to the seasoned investigative work of the MBI, and the strong prosecutorial work done by 9<sup>th</sup> Circuit prosecutor Bob Welch. In a case that involved a victim who also had a criminal record, investigators and prosecutors nonetheless framed the case in such a way that the victim proved to be a very credible witness at trial. And as an example of the domestic sex trafficking of a vulnerable U.S. citizen, the case has additional significance. It provides a textbook example of how a U.S. citizen victim—in this case a college educated woman, caught up in financial hardship—can become prey to a pimp/trafficker. The collusion of a juvenile minor female in the victim's exploitation is a further sobering reminder of how varied human traffickers can be in modern America.

**Tampa Bay “Treasure Island” sex trafficking case (ongoing, 2010).** Less than two weeks after completing Florida's 40 hour Advanced Investigator's Training on Human Trafficking, Detective Jeremy Lewis of the Pinellas County Sheriff's Office broke open a sex trafficking case in the waterfront Tampa community of Treasure Island. Upon investigation, the case revealed that

pimps had exploited numerous U.S. citizen women for forced prostitution and dancing in a number of Tampa's strip clubs. When they were not exploiting the women for commercial sex, the pimps allegedly held them in virtual slavery in a luxury waterfront home where the pimps resided. While being held at the home, the women had their clothes, credit cards, identification documents, and money confiscated by the pimps.

The women were also subjected to extreme physical violence and emotional abuse that law enforcement investigators described as the equivalent of torture. One of the investigators noted that he had never seen this kind of brutality in his many years of law enforcement service. When the women failed to bring home prescribed amounts of money from prostitution conducted out of the strip clubs, they would face nightly beatings and sexual assaults at the hands of the accused perpetrators. One perpetrator slept in front of the door at night to prevent any attempts at escape. When not being exploited, the women were plied with drugs and alcohol, and detectives also found hundreds of movie DVDs in the home meant to entertain the victims on the one free day a week that they were allowed. Neighbors who were interviewed noted that they rarely saw the women outside the home except when they apparently left for work in the early evenings.

The accused perpetrators include three men who resided with the victims in the luxury home, as well as a female dancer from one of the strip clubs who allegedly recruited the young women for exploitation. Brutality and emotional control were the hallmarks of the criminal conspiracy. The three pimps allegedly took the women six nights a week to the Vegas Showgirls strip club in Tampa where the women were forced to dance and prostitute themselves. "Handlers" trailed the victims while they engaged in the forced prostitution or were participants in local escort services. The pimps were vindictive in actively tracking down any woman who attempted to escape.

The victims in this case were for the most part white females between the ages of 18 – 26, almost all of whom were from outside Florida. With their families and support systems many

miles away, the young women proved especially vulnerable to trafficking. The first victim to be identified reported initially as a sex crime victim, but did not want to pursue a case against her traffickers. She did agree, however, to show investigators the home where the other women continued to be held and brutalized. Conspicuously absent from the trafficking scheme was any sort of debt servitude. The traffickers instead simply sought out young American women from abusive or unhappy backgrounds and offered them the promise of a better life. The recruiting allegedly done by the young female dancer who was in league with the pimps proved crucial to the success of the sex trafficking scheme. One victim was held for eight months in this hellish existence.

All of the alleged perpetrators have been charged with human trafficking under the Florida statute, and the criminal investigation remains ongoing. Law enforcement officers from the Clearwater Human Trafficking Task Force (including Clearwater police and FDLE investigators) provided critical support in the investigation to date. Multiple units within the Pinellas County Sheriff's office were engaged in the case, including officers from homicide, economic crime, narcotics, patrol, and crimes against persons. Three different Florida search warrants were used in the investigation: warrants for searching residences, vehicles, and computers.

In June 2010 one of the secondary perpetrators was found not guilty in a jury trial. Accused of serving as a driver for the operation, he had maintained his innocence on trafficking charges. As of the fall of 2010, charges against the alleged principal perpetrator remained pending. The ongoing Treasure Island case is significant for many reasons. It is perhaps the highest profile domestic sex trafficking case investigated to date in Florida. Equally important, the case is being investigated by a Florida Sheriff's office, and prosecuted under Florida anti-trafficking law, by a state attorney. The case furthermore sheds light on the types of physical force and psychological coercion that can be brought to bear against U.S. citizen victims of trafficking. The complicity of Florida's adult entertainment industry in sex trafficking also remains an issue of great importance raised by this case.

**Gainesville Haitian labor trafficking case (ongoing 2010).** Following a federal investigation that continued for several years, a grand jury in June 2010 issued a four count indictment against members of a Haitian crime affiliate on charges of human trafficking, forced labor and conspiracy, visa fraud, and document servitude. According to the indictment, three Haitian nationals—one of whom was a fugitive—engaged in a conspiracy to entice 34 Haitian migrant farm workers to the Gainesville area to pick beans and peas with false promises of lucrative jobs that would lead to permanent residence.

The perpetrators allegedly arranged for the workers to initially pay substantial recruitment fees in Haiti, procured by funds fronted by loan sharks and often secured by the victims' own property as collateral. Once the victims arrived in the United States on H-2A agricultural worker visas, the defendants then confiscated the victims' passports, threatening to report them to law enforcement or have them deported back to Haiti where they would owe insurmountable debts. In addition to the labor trafficking charges, the defendants have also been accused of engaging in visa fraud by making false statements in documents filed with the U.S. Department of Labor as part of the H-2A visa application process.

The Gainesville investigation and prosecution remain ongoing as of fall of 2010. The case is yet another example of the abuses engendered by the H-2A agricultural worker visa program and its proclivity for human trafficking exploitation. On the positive side, the case is an illustration of how an evolving (and unfunded) anti-trafficking coalition can make a remarkable difference in a local human trafficking situation. Numerous state actors in the Gainesville area (including the Alachua County Sheriff's Office, the Alachua County Housing Authority, the Alachua County Victim Services and Rape Crisis Center, and the Alachua County Health Department) played key collaborative roles in victim care during the extended investigation. The support services of non-governmental organizations also proved crucial, including those offered by the Child Advocacy Center of Gainesville, Florida Legal Rural Services in Fort Myers, Florida Freedom Partnership in Miami, World Relief in Jacksonville, and numerous shelters and faith-based organizations in the Gainesville area.

**Tallahassee and Clearwater *Melchor and Monsalve* sex trafficking case (2008).** In July of 2006, a woman in an upscale Tallahassee neighborhood was startled by two young Guatemalan women knocking frantically on her back window and crying out in Spanish for help. This “Good Samaritan” neighbor discovered that the young women were fleeing a sex trafficker—Colombian national Jorge Melchor—who had held them in a “safe house” in the same neighborhood, since their arrival two days earlier. Each of the preceding evenings, the women had been driven to trailers and apartments on the outskirts of Tallahassee where they had been forced to engage in multiple sex acts as part of a larger prostitution scheme. Taken to a hospital and the Tallahassee police station, the women’s accounts of their ordeal led Florida law enforcement agents to a two year, multi-jurisdictional investigation that eventually dismantled an international sex trafficking ring.

Melchor, investigators learned, was a mere lieutenant in the sex trafficking operation. He was in fact a “franchise” operator, charged with running the prostitution venture in Tallahassee. The conspiracy actually stretched throughout Florida, involving additional brothel operations in Jacksonville, Orlando, Clearwater, Tampa, and Miami. It was Melchor’s boss—a fellow Colombian named Carlos Monsalve—who was the leader and founder of the criminal conspiracy. Sometime in 2004, Monsalve had begun smuggling women into Florida from Latin America for purposes of prostitution. His business apparently thrived, becoming even more profitable after the 2005 disaster of Hurricane Katrina. Monsalve built his illegal business by catering to a particular, and very discrete, client pool: single males in Florida’s Spanish-speaking migrant community. In the wake of Katrina, workforces composed largely of male Hispanic migrants undertook much of the rebuilding of the U.S. Gulf Coast, and this group became Monsalve’s preferred customer base. While he appears to have initially utilized immigrant women who were consenting participants in the prostitution scheme, at some point Monsalve began luring women to the U.S. with false promises of jobs and then forcing them into prostitution with the abrupt imposition of a large smuggling debt.

Monsalve's sex trafficking operation featured an innovation that is now being duplicated in other parts of Florida and the U.S.: it flourished through the use of "mobile brothels." Monsalve rarely operated a stationary brothel (as had been typical in previous sex trafficking cases in Florida). Instead, pimps such as Melchor delivered women to clients' private apartments or trailers, charging \$30 for a 15 minute sexual encounter. The business, moreover, was a "bulk operation": a pimp would not deliver a woman unless at least three "johns" were present and willing to pay for sex. As a business venture, the sex trafficking scheme proved extremely lucrative. The women were forced to engage in 25-35 sex acts a night, with \$15 going to the traffickers as a direct return on their investment, and the other \$15 going to pay off the women's supposed smuggling debt. Many of the women were reduced to depending on tips from clients in order to buy food, medicine, and living items.

The Assistant U.S. Attorney prosecuting the case mandated court testimony on the part of a number of the clients of the prostitution ring. Their accounts in court provided a revealing—and troubling—depiction of how modern sex trafficking can thrive. The phone records of one client alone demonstrated that he had called the prostitution service over 67 times in the course of a five month period in 2006. Those who testified in court spoke one after another of having ordered prostitutes delivered to their apartments or trailers on multiple occasions. None disclosed any awareness that the women engaged in such prostitution might have been doing so against their will. What the male clients characterized as matter-of-fact, consenting sexual encounters, the women victims described as multiple acts of rape.

The perpetrator and victim profiles in the *Melchor* and *Monsalve* cases were decidedly different than those of previous sex trafficking cases in Florida. To begin with, the victims were recruited from multiple different countries throughout Latin America. Over the course of the criminal conspiracy, women were brought to Florida from Guatemala, El Salvador, Honduras, Puerto Rico, the Dominican Republic, Nicaragua, and Colombia. The multiplicity of countries from which they were recruited indicates that sex trafficking is no longer the sole provenance of "mom and pop" criminal enterprises or merely of opportunistic foreigners exploiting their

fellow foreign nationals. Instead, the Colombian sex trafficking operation bore all the hallmarks of organized crime: varied recruiters, multiple smugglers, organized safe houses, and telecommunications that crossed not only state but also national borders. One woman interviewed recounted that police and military had been bribed throughout Central America in order to facilitate her smuggling.

Finally, the victim profiles of the women exploited by the Colombian crime ring reveal that sex trafficking in Florida and elsewhere is more complex than perhaps previously thought. The scenarios presented by the *Melchor* and *Monsalve* cases involved varying degrees of exploitation, including some that defied black and white characterization. That is, the traffickers exploited women who had knowingly migrated for sex work alongside women who had been completely deceived and coerced into forced prostitution. The cases posed additional challenges when they revealed that a number of the women had paid off their smuggling debt through months of brutal sexual servitude but then remained working in prostitution, splitting the proceeds with their trafficker-pimps. Modern sex trafficking, it is clear, involves more than “iconic victims”—women who are stereotypically deceived or forced into prostitution, and subsequently rescued. Situations being encountered on the ground by law enforcement are infinitely more complex and challenging.

Finally, as a business venture, the Colombian sex trafficking conspiracy is instructive. No websites were ever discovered to have been involved in advertising the prostitution services. However, cell phones were crucial to the growth and profitability of the criminal scheme. The advertising techniques employed by the traffickers were decidedly “low-tech”: they relied upon word of mouth communications and the distribution of generic business cards at local bars, Mexican restaurants, and ethnic food stores. By flying “low under the radar screen” and targeting a discrete, and largely undocumented segment of clients, the Colombians attracted almost no law enforcement attention for almost two years of their initial operations. This business formula is certain to be repeated elsewhere. Florida law enforcement investigators note that even now this *modus operandi* for sex trafficking continues to be refined. Cards



advertising prostitution services continue to circulate through Florida communities, though pimps now ask for passwords or the home addresses of prospective clients in order to screen them.

**Miami Paulin labor trafficking case (2008).** Maude Paulin was a Haitian immigrant and a middle school teacher who lived in the south Miami community of Cutler Bay. She came from a successful family in Haiti that had run an orphanage for many years there in a mountain village. A young Haitian girl (“Anna”) was taken by Paulin’s parents from her biological mother at the age of five and kept for seven years at the orphanage run by Paulin’s family. When the young girl reached the age of twelve, Paulin’s mother, Evelyn Theodore, removed the girl from the orphanage and brought her to the family home in Haiti to live and work as a house servant there. In 1999, the family then smuggled Anna into the United States where she was kept as a house slave for another six years in Paulin’s Cutler Bay home.

Anna’s life for six years was one of complete domestic servitude. She worked 15 hours a day, seven days a week. Her daily chores included yard work, laundry, making beds, cleaning the family’s bathrooms, and scrubbing floors on her hands and knees. When she failed to perform adequately, she was repeatedly beaten by Theodore or Paulin. She slept on a floor, ate leftovers, and bathed with a bucket or using the backyard hose. Her only clothes were secondhand ones that had been donated to the family orphanage. Paulin also “rented” out the young girl to perform housecleaning services, including to her sister Claire Telasco.

Anna’s contact with the outside world was carefully monitored and constrained during her six years of servitude. Never allowed by her school teacher-trafficker to attend school, she instead learned English by watching television while she babysat. She was prohibited from using the telephone, from making friends, or leaving the house by herself. When guests visited Paulin’s home, Anna was locked in a closet or the garage. Paulin’s defense attorney later defended these practices, declaring that Paulin and her family were attempting to shield the girl “from a life of inappropriate relationships.”

The child exploitation perpetrated by Paulin did not completely escape public notice. On one occasion child welfare workers arrived at the family home as the result of an anonymous tip alleging child abuse. Feeling trapped by the knowledge that she was penniless and knew no one in the United States, Anna lied to the DCF workers. Later investigations would reveal that in addition to repeated physical abuses, Anna had also been subjected to persistent psychological coercion such as threats that she would be deported to Haiti and jailed there. Driven to desperation, she unsuccessfully attempted to commit suicide by drinking motor oil at the age of seventeen. In June 2005 she finally escaped her traffickers with the assistance of a friend of the Paulin family who had witnessed her exploitation.

The *Paulin* case once again brought the Haitian *restavek* practice—a tradition of ceding the custody of children to other Haitian families, who supposedly can offer the children prospects for a better life—under great scrutiny. The *restavek* cultural practice often results not in education or better opportunities for the children, but instead in slave-like conditions of exploitation. Paulin’s attorney, in fact, tried to characterize the entire criminal prosecution as a case of cultural misunderstanding. He declared that Paulin and her family “took [Anna] to improve her chances of having a good life.” The federal jury clearly disagreed, convicting Paulin and her mother of forced labor and of harboring an illegal alien. Paulin received an 87 month prison sentence, and was ordered to pay \$162,765 in restitution to the victim.

**Immokalee Navarette labor trafficking case (2008).** Immokalee, Florida has been the site of numerous farm labor trafficking cases in the past decade, leading federal prosecutor Douglas Molloy to refer to it as “ground zero for modern slavery.” The Coalition of Immokalee Workers (CIW) has played a critical role in both bringing these cases to light and in providing victim care to workers who escape trafficking and labor abuses. In November of 2007, a new case arose in Immokalee when Mariano Lucas Dominguez punched his way through the roof of a box truck in which he had been locked by his employer-traffickers, the Navarette family. Dominguez was among a number of migrant workers who had been victimized by the Navarettes for months at a time.

Recruited for farm labor, the victims had all been promised room and board at a reasonable rate. Instead, they found themselves locked nightly into the box trucks in the junk-strewn yard of the Navarette family. The box trucks had no toilets or running water, and the farmworkers were left to urinate and defecate in a corner. The Navarettes furthermore deducted money weekly from the workers' wages to cover the cost of this "residence," and charged them additional money for two meager meals allowed per day. Even cold showers from a garden hose cost the workers \$5 each.

The Navarettes created a "debtor system," plying the workers with beer and drugs, and adding these "costs" to those of the room and board charges. Fifteen workers were denied pay, and were also told that they could not leave until they had paid off their debts. Ten hour workdays were the norm, and anyone who refused to work was slashed with knives, tied to posts, or shackled in chains. One victim was handcuffed nightly with his arms behind his back in order to prevent his escape.

The agricultural slave labor was very much a "family business." Cesar Navarette, described as the "young patriarch of the family," served as the recruiter in the conspiracy. His brother Geovanni played the enforcer. Their mother and three other family members were also fully complicit in the forced labor scheme. The two brothers leading the conspiracy ultimately pled guilty to charges of forced labor, felony re-entry into the country, Social Security fraud, and harboring undocumented foreign nationals for private gain. They both received 12 year prison sentences. The mother was released on time served, and a half brother was sentenced to 46 months incarceration. The six convicted members of the Navarette family were also required to pay back nearly \$240,000 in restitution to the victims.

The *Navarette* case indicates that Florida continues to witness tremendous human rights abuses in the farm labor sector, and that contractors are typically those directly responsible for the forced labor. The ongoing exploitation of migrant farm workers by their fellow foreign

nationals also remains a pronounced trend: the Navarettes were all Mexican, and their victims were likewise Mexican or Guatemalan. Unlike other human trafficking cases, the victims in the *Navarette* case appear to have been recruited locally in the Collier County area. Curiously, their exploitation was induced not through any kind of smuggling debt but rather through general debts that were incurred after they came under the control of their traffickers. This is a new twist in Florida cases involving forced labor.

Once under investigation, the case highlighted the continued challenges of finding secure and appropriate housing for male victims after they have been rescued or have escaped trafficking situations. And finally, the case very much supports the contention of the Coalition of Immokalee Workers that an entire spectrum of human rights violations continue in Florida's agricultural industry, with trafficking being merely one extreme in an entire continuum of abuses.

**Destin King labor trafficking case (2008).** Labor trafficking is not confined to Florida's agricultural sector, but is increasingly found in Florida's hospitality and tourism industries as well. The Florida Panhandle was the location of a criminal investigation that culminated in the 2008 conviction of both U.S. citizen Justin King and a number of Russian nationals for smuggling aliens to work in Florida resorts.

The Okaloosa County Sheriff's Office had for several years been scrutinizing patterns of labor trafficking in the area of Destin and Fort Walton Beach. Beginning as early as 1999, Russian nationals Anna Czerwien, Aleksander Berman, and Stan Finkel began supplying young Eastern European men and women to Panhandle resorts for janitorial and maid services. Operating under the name of Eurohouse Holding Corporation, they brought the Eastern European workers to the Florida Panhandle for short term work on temporary J-1 or H-2B visas. The vast majority of the workers were females between the ages of 19 and 23. Moreover, most were also students who were intent upon returning after several months to their homes in Eastern Europe to continue their studies.

Many had been promised non-existent jobs when they were recruited in their home countries. Upon their arrival in the Florida Panhandle, they were instead employed for substandard wages by Eurohouse and assigned to work in local hotels and resorts. Eurohouse operated as a labor subcontractor, providing services to hotels such as the Sandestin Hilton. Eurohouse was able to offer the “low bid” on labor contracts precisely because they did not pay federal minimum wages to their employees. They further charged the students between \$1500 and \$2500 each for visa processing, job placement, and transportation fees. In addition, the young workers were charged to stay 15 to 20 persons per condominium throughout a variety of locations throughout the Panhandle. Enforcement was carried out by verbal abuse, threats of violence, and threats of fines or non-payment of wages. Almost all the young workers had a plane ticket allowing them to return to their home countries at the end of the summer tourism season, but they would have incurred substantial costs were they to try to fly home at an earlier date. The labor trafficking conspiracy overall proved lucrative and seemingly insulated from law enforcement oversight: because the victims were exploited on a temporary basis, they most often simply chose to return home at the end of the summer without reporting the exploitation or participating in an investigation.

This pattern finally changed in 2003 with the exploitation of a group of foreign nationals predominantly from Bulgaria and Rumania. With their assistance, the Okaloosa County Sheriff’s Office discovered a further criminal conspiracy that involved even more extensive visa fraud and alien smuggling on the part of Eurohouse officials. The ensuing investigation also revealed that U.S. citizen Justin King was employed as the front man for Eurohouse, negotiating new contracts with hotel owners and communicating with state and federal agencies to further the conspiracy. As part of his role in the criminal operation, King submitted over a thousand fraudulent visa applications. King and his co-conspirators were found to have brought in over 200 foreign nationals to work as hotel housekeepers through the use of these illegally-obtained visas.

Evidence presented at trial showed that King and his co-conspirators had used forged hotel letterheads to further their scam. Most of the foreign national workers brought in through the fraudulent visa scheme were eventually contracted out to hotels and resorts other than those who had supposedly sponsored them for their visa. Finally, it was revealed that when the federal government had become suspicious and stopped issuing visas to Eurohouse, King and the other defendants had continued their fraudulent activity under the guise of a new labor contracting company called Woland. King was convicted on seven counts of visa fraud and alien smuggling and sentenced to 41 months in prison. Czerwien, Berman, and Finkel received respective sentences of 18, 23, and 12 months in prison. The defendants were also found to be liable for joint forfeiture of \$1 million.

Curiously, human trafficking charges were not a part of the prosecution. The U.S. Attorney for the Northern District of Florida would later note that the criminal behavior had in fact included all the elements that would have established forced labor under Title 18 Section 1589 (in particular, the use of labor obtained through false promises, through threats of serious harm, or through abuse of law or of legal process—i.e., threats of deportation).

The *King* labor trafficking case is a very clear indicator of the degree to which forced labor and abusive labor practices may have permeated the Florida hotel and tourism industries in recent years. The Eurohouse investigation furthermore revealed that numerous companies acting as “temp labor” staffing agencies are operating throughout Florida and the nation. Many of these agencies are owned and operated by people from Eastern Europe (Poland, and the Czech Republic) or states of the former Soviet Union (Estonia, Russia, and Uzbekistan). There appears to be a high degree of interconnectivity between the companies, strong indicators of organized crime, and similar patterns of exploitation practiced by the suspect companies.

Ongoing investigations of labor trafficking throughout Florida also demonstrate that U.S. citizens are increasingly involved in the exploitative practices. They operate what have been referred to as “quasi-legitimate companies” relying once again on the labor of foreign nationals

who arrive on J-1 or H-2B visas. These labor leasing companies are recruiting laborers from countries not traditionally associated with providing workers for Florida's hospitality industries: Argentina, Costa Rica, Jamaica, the Philippines, and Brazil. The companies increasingly lease workers on a weekly or monthly basis to hotels, resorts, construction companies, golf courses, condominium rental properties, restaurants, and souvenir/tee-shirt shops.

Investigations to date indicate that this is a multi-million dollar a year business in Florida alone and is growing. It is also a business that is essentially unregulated. Because they are for the most part unlicensed, these labor leasing companies in Florida are not subject to DBPR investigations or sanctions. The Florida Labor Pool Act (Chapter 448, Florida Statutes) addresses day laborers, but does not cover seasonal workers. A similar gap exists in Florida Migrant Labor laws—Chapter 450, Florida Statutes addresses temporary agricultural laborers but there is no corresponding Florida law to protect temporary workers in the hospitality industry. These gaps are an invitation for exploitative labor practices, and need to be redressed immediately by legislative and regulatory responses. Hundreds of victims are estimated to be exploited annually in this manner throughout Florida.

**Miami Osley and Greer sex trafficking case (2007).** Domestic Minor Sex Trafficking has long been overlooked by many U.S. communities, and constitutes an area of human trafficking clearly punishable under the TVPA. In November of 2006, officers of the Miami Beach Police Department conducted a street level prostitution sting on Ocean Drive in Miami Beach. In the course of this operation, they encountered a 17 year old girl who propositioned an undercover policeman. An investigation ensued that revealed both the young woman's minor status and her brutal sexual exploitation at the hands of a pimp.

Months earlier, the young woman had met Demond Osley at a payphone in her native Detroit. Osley promised her a better life in south Florida. He told her that if she accompanied him there she would be his girlfriend, would be given jewelry, and that they would go on trips together to the Bahamas. Osley, in reality, was a pimp who claimed to be a music producer. Originally from

Detroit himself, he had moved to south Florida in 2005. He already had been arrested numerous times previously on charges ranging from fraud and carrying a concealed weapon to possession of cocaine and assault. Osley went by the street name of “D-Lo.”

Osley and the young woman flew together to Fort Lauderdale. Shortly after their arrival on October 31, 2006, Osley forced the young woman into street prostitution. Holding her in a Marriott Hotel in Miami Beach, he ordered her to earn at least \$500 a day for him through streetwalking. When she fell short of this amount, Osley beat her, stuck a gun in her mouth, and threatened to kill her. He subsequently sold her to another pimp named Stacey Greer.

Greer, originally from Dallas, Texas, went by the street name of “Snake.” He had an arrest record for drug crimes, auto theft, and domestic violence. Upon “purchasing” the young girl, Greer forced her to engage in prostitution at the Hallandale Best Western Hotel. He videotaped himself having sex with her, and also took nude photos of the girl that he intended to post on the internet.

Shortly after her arrest, the young woman was identified as a juvenile and as a victim of sex trafficking. She was not charged, and instead was taken to a safe location. Her case was then investigated by the Innocence Lost Task Force, which included members of the Miami Beach Police Department, the Miami Police Department, and the FBI. After a jury trial, Osley was convicted of sex trafficking of a minor, of Mann Act violations, and of coercing and enticing a minor to engage in sexual activities. He was sentenced to 30 years and 5 months.

The *Osley-Greer* sex trafficking case epitomizes the human trafficking abuses that result from the “pimp” culture that is still prevalent in U.S. street life and often glorified in the American media. It demonstrates the tremendous vulnerability of U.S. runaway or “throw-away” youth to commercial sexual exploitation, especially after they have been physically relocated by pimps to distant states or cities. The case also provides a glimpse of the role that the internet is playing



both as a means of advertising underage youth for commercial sex, and of actual exploitation by means of photos or videos that can be posted on websites.

**Orlando *Telichenko* sex trafficking case (2006).** Not all immigrant victims of sex trafficking are recruited in their home countries, and neither are all sex trafficking offenses the result of extensive criminal networks. The *Telichenko* sex trafficking case involved the exploitation of a young Russian woman who was visiting her best friend in Pennsylvania. The victim had come to the United States on a B-2 tourist visa, and met Ukrainian national Yelena Telichenko in a family-owned Russian restaurant in the Philadelphia area. Telichinko, who worked as a court interpreter in Orlando, persuaded the 22 year old to accompany her back to Florida. Upon their arrival, Telechinko at first required the young woman to do all the cooking and cleaning in her Orlando apartment, and began physically abusing her when she did not perform up to expectation.

Telichenko then abruptly informed the young woman that she would have to begin having sex with male customers to cover the costs of her room and board. Three men arrived at their apartment one weekend and gang raped the young woman. A period of commercial sexual exploitation then began that was based on “incall prostitution”—the customers of the prostitution venture would routinely come to Telichenko’s upscale apartment where the commercial sexual transactions occurred. Telichenko was both the pimp and the enforcer of this “boutique” single-victim prostitution scheme. She locked the Russian victim into a bathroom each night, and would awaken her in the morning with kicks or by beating her with a pot. Battered as the result of one such assault, the victim was ordered by Telichenko to tell customers that day that she had been in an auto accident.

Psychological coercion as well as physical assaults were employed against the young woman to ensure her continued compliance. Telichenko informed the victim that she had powerful friends in the Florida court system who could jail or deport her whenever Telichenko gave the word. She also threatened harm to the victim’s family back in Russia. Telichenko went even further,

attempting to extort money long distance from the young woman's grandmother in Germany and from her mother in Russia. In response, the mother called the Russian Embassy in Washington, prompting a law enforcement investigation. U.S. Immigration and Customs Enforcement (ICE) agents encountered the victim taking out the trash late one evening and detained her. They contacted Catholic Charities in Orlando, which sat in on the initial interview and provided victim service support from the outset of the case. The perpetrator disappeared, but was found a week later hiding in the closet of a Kissimmee apartment with \$17,000 in a fanny pack. Telichenko eventually pled guilty at trial to forced labor violations, and received a six and one half year prison sentence. Already ordered deported previously, Telichenko will face immediate removal after completing her prison sentence.

**Palatka Evans labor trafficking case (2006).** U.S. citizens, as well as foreign nationals, are increasingly victimized in labor trafficking crimes in Florida. Homeless African-American men were the target of a labor trafficking conspiracy perpetrated for a number of years by farm labor contractor Ronald Evans in northeastern Florida. Evans built up his labor contracting business by cruising homeless shelters across the American Southeast (including Tampa, Miami, Jacksonville, and Orlando) in order to recruit homeless men who often suffered from substance abuse issues.

Evans supplied these workers to farms that grew potatoes and cabbage in northeast Florida, and he maintained a labor camp in East Palatka. The business formula that Evans capitalized on was a simple one: he extracted the greatest economic benefit at the cheapest possible cost from the homeless people that he recruited. Workdays were as long as 16 hours, and accommodations were primitive. Evans and family members who were part of the conspiracy charged the laborers \$50 a week for room and board. Evans also built his criminal operation around the concept of the "company store." At the end of every weekday dinner, he allowed workers to purchase generic beer, unlicensed contraband cigarettes, and crack cocaine on credit and at very high prices. The workers' room and board costs, in addition to drug and alcohol purchases made on credit, were deducted from the laborers' weekly paychecks. The

result was that the vast majority of the workers earned little to no money and in fact became perpetually indebted to Evans. Many were later found to have worked for many years for Evans in this homegrown version of debt servitude.

Homeless workers who managed to escape this hellish cycle of forced labor and facilitated substance abuse eventually spread word about the exploitation. The Coalition of Immokalee Workers and a Miami-based homeless outreach organization investigated the situation and reported it to federal authorities in 2003. The ensuing investigation revealed what one federal official termed “a house of horrors”—brutal work conditions and a type of modern slavery that preyed upon the vulnerabilities of some of America’s most marginalized citizens.

The investigation of the Evans criminal operation involved numerous federal and state law enforcement agencies, and revealed a host of other violations in addition to the labor trafficking. The U.S. Environmental Protection Agency became involved when it was discovered that Evans had dumped raw human excrement from the camp’s septic tanks directly into a stream that fed into the St. John’s River. The sale of unlicensed cigarettes triggered the involvement of the IRS Criminal Investigation Office. The subsequent IRS investigation revealed that Evans’ criminal conspiracy had required large reserves of cash for the purchase of crack cocaine on a regular basis. Evans had secured this money by cashing checks written by his farmer clients. He instructed the farmers to structure the payments in amounts less than \$10,000 in order to evade federal reporting requirements. Evans later sought to further obstruct justice when he pressured one farmer to deny the existence of the cash structuring scheme. The attempt led to his further prosecution on charges of witness tampering.

The *Evans* investigation culminated in a ten-day jury trial in August of 2006. Evans was convicted for multiple offenses (though not for human trafficking) and sentenced to 30 years incarceration. His wife Jequita received a 20 year sentence for distribution of crack cocaine and structuring cash transactions to avoid financial reporting requirements. Their son received an additional 10 year sentence. The *Evans* case once again raised troubling questions about the

propensity for labor trafficking that appears almost inherent in Florida’s agricultural sector, especially on the part of farm labor contractors. It also revealed the “diverse criminal portfolio” that traffickers can develop—in this case, a portfolio that not only included forced labor but also drug trafficking, environmental crimes, and financial fraud.

**Cape Coral Pascual labor and sex trafficking case (2006).** “Maria” (not her real name) was ten years old when she met Fernando Pascual in her native Guatemala. Pascual was 19 at the time and worked as a chauffeur for Maria’s stepfather. A year later, Pascual paid the stepfather 2000 quetzales (approximately \$263) to buy the young girl. After purchasing her, he raped the 11 year-old repeatedly, ultimately impregnating her. As a result of the routine beatings that he inflicted upon her, Maria later gave birth to a stillborn child.

Pascual attempted to illegally enter the United States three times with Maria but they were intercepted each time upon entry and deported. On their fourth attempt they were successful and went to live with Pascual’s sister in Cape Coral, Florida. Pascual ran a landscaping business there, and Maria was held in the sister’s home as a house slave. Forced to rise at 4:00am every morning, Maria was required to cook and clean for Pascual and other residents of the house. She was also forced to service Pascual sexually on a daily basis.

Maria was not allowed to leave the house unaccompanied. Neither was she allowed any access to the telephone. The only time she was alone in the house was on Sunday mornings when Pascual, his sister, and the other residents of the house went to a local flea market. Before leaving the house, they would lock Maria in a bedroom, the windows of which were boarded over from the outside. Living in a quiet neighborhood of Cape Coral, Maria was physically, culturally, and linguistically isolated. Her case grew from labor trafficking (domestic servitude) to sex trafficking when Pascual allowed his brother Mario to rape the girl in exchange for forgiveness on a gambling debt.

In 2003, at the age of thirteen, Maria became pregnant for a second time. Pascual continued to beat her throughout the pregnancy. Shortly before the delivery, Maria sought the help of a neighbor, who brought her to a local hospital. There, Maria gave birth to a boy, and Pascual signed the birth certificate as the father. Upon contact with police and service providers, Maria did not immediately venture the information that she had been bought and raped by Pascual, nor that she had been held as a house slave. She in fact referred to Pascual as her husband, and for over a year refused to talk to law enforcement officials. Maria was repeatedly brought to the police before in 2004 she at last disclosed details of the crimes committed against her.

It was a Lee County social service provider who had contact with Maria who first recognized potential indicators of human trafficking in her situation. The criminal case was initially investigated as a sexual battery. As part of a plea agreement at trial, Pascual pleaded guilty to charges of sex trafficking and harboring an illegal immigrant for commercial gain. He received a ten year sentence—lighter than the charges might normally warrant—in return for the young victim not having to testify in open court.

The *Pascual* case is notable for a number of reasons. It demonstrates first how abusive relationships and slave-like working conditions that in a victim's home culture might be tolerated are actually criminal when they occur in the United States. The case is also a textbook example of the complexities that arise when a child is subjected to human trafficking. The victim in this instance "protected" the perpetrator for over a year after she came into contact with law enforcement, even referring to him as her husband. And despite repeated interactions with law enforcement officials, she chose not to disclose the details of her exploitation until a service provider earned her trust. Finally, the case is a strong reminder that plea bargains are a useful and necessary prosecutorial tool when they can spare a victim from having to relive traumatic memories on the witness stand.

The prosecutions of Florida trafficking cases since 2004 indicate that patterns of forced prostitution and forced labor remain prevalent throughout the state. There are a wide range of

victims in Florida: undocumented immigrants, immigrants brought here legally on migrant worker visas, runaway American citizen children, and U.S. citizens who are vulnerable because of homelessness, debt, or substance abuse problems. The perpetrators are similarly varied. They include pimps, unscrupulous labor contractors, and Colombian, Haitian, Korean, and Russian crime affiliates. Increasingly, the cases demonstrate that legitimate businesses in Florida’s agricultural or hospitality industries are linked—knowingly or unknowingly—with many of these human trafficking abuses. The vast majority of Florida human trafficking prosecutions have been brought by federal authorities, often working with local law enforcement and local anti-trafficking NGO’s as well as with federal counterparts. The advent of successful state trafficking prosecutions is good news and a trend that must continue to grow in concert with expanded federal prosecutions if Florida is to keep pace with the rampant growth and presence of human trafficking.

### **Recommendations**

1. State prosecutors and law enforcement should continue and expand their focus on human trafficking cases. Coordination of investigations will remain crucial to successful prosecutions of human trafficking cases.
2. State prosecutors, the Attorney General’s Office and the Statewide Prosecutor’s Office, including prosecutors, investigators, victim advocates and other key staff, should receive training on human trafficking including human trafficking investigations, working with trafficked persons and techniques of successful prosecutions.
3. All prosecutors including the Statewide Prosecutor, Florida’s 20 State Attorneys and the Attorney General’s Office should aggressively pursue traffickers and charge them with all appropriate violations of the law. The crime of “human trafficking” often contains many other underlying offenses and a host of other criminal and civil activities. Traffickers can also be charged civilly and criminally with offenses other than “human trafficking” as the cases involving Filipino workers (*Baldonado* and *Manuel*) showed.

4. Prosecutors should work with law enforcement and where appropriate prioritize and certify trafficked persons as “victims of trafficking” so that they can receive benefits and relief to which they are eligible.
5. Prosecutors should aggressively pursue orders of restitution for victims of trafficking and pursue the collection of these awards for victims.
6. Human trafficking is an extremely lucrative enterprise, and as such prosecutors should investigate and use civil and criminal Racketeer Influenced and Corrupt Organizations (RICO) charges against human traffickers.

## Florida Trafficking – By the Numbers

### Background and Observations

Data on the number of human trafficking victims nationwide continues to be elusive, and the number of victims exploited in Florida is similarly unclear. The U.S. Department of State has recently estimated that 14,500 to 17,500 international trafficking victims enter the United States annually, though it does not offer Florida-specific numbers.<sup>2</sup>

By most estimates, however, Florida remains one of the prime destinations for trafficking victims in the United States. Many of the factors that are conducive to the trafficking of international victims in the United States—large immigrant communities, the availability of low wage jobs, entire sectors of the economy that operate with little governmental regulation (such as agricultural labor), and thriving commercial sex venues—all exist in Florida. Many of the same factors also make Florida a preferred location for domestic trafficking, including the fact that Florida has always been a mecca for teenage runaways from around the country. A comprehensive statistical analysis of the exact number of trafficking victims in Florida lies beyond the scope of this *Strategic Plan*. However, a number of data sources have emerged that offer glimpses of how many victims there may be in Florida.

Data collected by the Department of Children and Families since it instituted a human trafficking maltreatment code for Florida hotline operators indicate that from May 1, 2009 through June 30, 2010, there were 156 trafficking incidents reported to DCF in Florida. 22 verified trafficking cases resulted from these reports, most of which occurred in Broward, Hillsborough, Lee, and Miami-Dade counties<sup>3</sup>. There were an additional 180 potential trafficking cases involving children, and of this number 136 dealt with children aged 13 or older. The majority of the children's cases involved female minors. It is clear from the Florida DCF

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<sup>2</sup> <http://nhtrc.polarisproject.org/images/nhtrcdocs/human-trafficking-statistics2.pdf>

<sup>3</sup> Data provided by the Florida Department of Children and Families, Family Safety Program Office.



numbers that at least a segment of the general Florida population is already beginning to recognize—and report—incidents of trafficking, especially when they involve children.

Another perspective on Florida trafficking is available from data compiled by the National Human Trafficking Resource Center (NHTRC), which administers and operates the national human trafficking hotline number (1-888-3737-888). While explicitly noting that its numbers are not to be construed as a comprehensive measure of trafficking, data generated by the NHTRC nonetheless serves as another yardstick by which to approximate the scope of the problem in Florida. The NHTRC Call Data Breakdown indicates that Florida was the third leading state nationwide for calls to the hotline in 2009 (Texas and California led the nation, and New York shared the third ranking for having received the same volume of calls as Florida).<sup>4</sup> The national hotline received a total of 296 calls from Florida during the 2009 calendar year. The calls to the hotline were made from cities all over Florida, led by Miami, and then in descending order, Orlando, Tampa, Jacksonville, and Fort Myers. The sheer diversity of caller locations is revealing as an indicator of the scope of trafficking in Florida.

A final statistical gauge of human trafficking incidents in Florida comes from data generated as a result of federal benefits dispensed to international trafficking victims throughout the state in recent years. The benefits—which are identical to those given to refugees here in the United States—are distributed under the auspices of the U.S. Conference of Catholic Bishops, through its Office of Refugee Programs. USCCB data reveals that between April 1, 2006 and August 31, 2010, a total of 274 trafficking victims in Florida received federal benefits. Interestingly, male victims (147) outnumbered female victims (127). Also notable is the disparity between labor and sex trafficking cases: USCCB figures reveal that labor trafficking victims (212) who received benefits far outnumbered sex trafficking victims (46), with another 11 victims having suffered both types of exploitation.

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<sup>4</sup> [http://nhtrc.polarisproject.org/images/nhtrcdocs/2009\\_annual\\_report\\_executive\\_summary.pdf](http://nhtrc.polarisproject.org/images/nhtrcdocs/2009_annual_report_executive_summary.pdf)

USCCB data on their clients' countries of origin also afford a broad brush depiction of how diverse Florida's international trafficking victims are: by far the largest source country was Haiti (81), followed by the Philippines (65), Mexico (42), Guatemala (13), Honduras (12), Romania (9), Thailand (8), Nicaragua (8), Thailand (8), Peru (6), Sri Lanka (3), India (3), Argentina (3), Colombia (3), and the Dominican Republic (3). These numbers reveal a tremendously varied pool of Florida victims, reflecting the vulnerability of immigrants from all over the world to trafficking schemes perpetrated here in Florida.

### **Analysis of Needs and Gaps**

The lack of comprehensive data on Florida trafficking victims in general remains a significant gap for state policymakers to address. Florida is not alone in needing to collect comprehensive data. Wisconsin probably has done the most to collect data to reflect the realities of human trafficking in that state.<sup>5</sup> Other states, California and Virginia, have also reported and collected some data.<sup>6</sup> Numbers from Florida service providers should at some point in time be correlated with law enforcement records of human trafficking investigations and arrests. Both should be correlated with Florida figures compiled from the national hotline number to perhaps triangulate data so as to arrive at a more representative estimate of Florida trafficking cases.

Confidentiality is of paramount importance to both law enforcement agencies and to the service providers who are tasked with caring for trafficking victims (especially legal service providers who are bound by attorney client privilege), so this statistical analysis must proceed with great care. However, other very sensitive areas of crime and victimization—such as child sexual assault, domestic violence, and rape—all raise many of the same issues, none of which have proven insurmountable in compiling reliable figures on criminal or victim trends.

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<sup>5</sup> This study was conducted using survey research and reported information on a wide range of topics relevant to awareness of human trafficking, training and the numbers of cases of human trafficking encountered by survey respondents. [ftp://doafp04.doa.state.wi.us/doadocs/Human\\_Trafficking\\_Report\\_Final.pdf](ftp://doafp04.doa.state.wi.us/doadocs/Human_Trafficking_Report_Final.pdf)

<sup>6</sup> <http://nhtrc.polarisproject.org/images/nhtrcdocs/human-trafficking-statistics2.pdf>

Conspicuously absent from the above-mentioned sources is specific data on U.S. citizen trafficking victims, and particularly on domestic minor sex trafficking victims. The acute lack of figures on the number of U.S. children victimized in Florida through commercial sexual exploitation is a yawning gap requiring an even more urgent response. A study assessing the relationship between the incidence of teenage runaways and of the commercial sexual exploitation of children is a statistical task of particular relevance to Florida policymakers.

Finally, some Florida state agencies could begin to track data on human trafficking cases. Foremost in this list is the Florida Department of Law Enforcement. Human trafficking calls and arrests should be tracked and should also include data on human trafficking cases received from other state agency law enforcement officers. As mentioned previously, the Department of Children and Families now tracks human trafficking cases through its Hotline. Other offices within that agency, specifically the Offices on Homelessness, Substance Abuse and Mental Health, Domestic Violence, ACCESS and Adult Protective Services, should begin to collect data on persons they assist who are victims of trafficking. Other state agencies that should also begin to collect this data include the Departments of Agriculture and Consumer Services, Health, Juvenile Justice, Education, Environmental Protection, Business and Professional Regulation and the Agency for Workforce Innovation. These inspectors and caseworkers in these agencies are regularly in workplaces, homes, hotels, restaurants, and agricultural venues where human trafficking is likely to be present. Requiring data collection will not only offer a more accurate picture of human trafficking in Florida, but it will keep the issue prominent in the minds of those who conduct inspections and have contact with the public.

### **Recommendations**

7. The Florida Legislature should commission a statistical study of Florida trafficking victims, to include data relating to DCF hotline reports and investigations, data capturing figures on trafficking investigations by federal and Florida law enforcement agencies, and data provided by service providers that would comport with confidentiality requirements.

8. The Legislature should commission a specific study of child sexual exploitation cases in Florida that would fall within the parameters of Florida statutes defining and proscribing sex trafficking of children.
9. The Legislature should commission a study examining the relationship between the incidence of teenage runaways in Florida and domestic minor sex trafficking.
10. The Legislature should consider how other states have utilized statistics to guide policymakers in creating alternatives to traditional incarceration for minors exploited through sex trafficking.
11. Any agency of state government in Florida that is likely to come in contact with victims of trafficking, particularly the Departments of Agriculture and Consumer Services, Children and Families, Health, Juvenile Justice, Education, Environmental Protection, Business and Professional Regulation and the Agency for Workforce Innovation should collect and report to FDLE data on the number of human trafficking cases suspected or encountered.

## **GOAL 2: To have a resource directory of all service programs that is user-friendly and current.**

Goal 2 addresses the need to have and maintain an up-to-date resource directory for service providers in Florida who assist victims of trafficking. Such a listing is important for anyone who is assisting victims as well as for law enforcement and prosecutors who are investigating trafficking cases. This section includes both a listing of service providers and a table of all anti-trafficking task forces, coalitions and points of contact from around Florida. These local community coordinated efforts are at the heart of community involvement and anti-trafficking public awareness campaigns. They are also key to providing the most effective and efficient coordinated care to trafficking survivors. Local law enforcement and prosecutors have also seen great successes when they coordinate human trafficking case investigation and prosecution in their local task forces.

### **Resource Directory**

#### **Introduction**

The following is a list of Florida organizations that provide support to survivors of human trafficking. Resource groups listed in this section have been divided into eight geographic regions. The contact information for each organization is provided, along with a short description of the services that the organization offers. Many of these organizations provide services to various vulnerable populations and have incorporated assistance to victims of human trafficking as one part of their larger mission. A few of the organizations receive specific funding from the Office for Victims of Crime (OVC) or the U.S. Conference of Catholic Bishops (USCCB) to assist foreign born victims of human trafficking. The list includes organizations that offer an array of services ranging from legal representation to social services, to donations of food or clothing or gift certificates, or to the provision of cash assistance.

Certain Florida service providers have elected not to be publicly identified out of concern for their clients' confidentiality or safety. Their services may be accessed through law enforcement agencies or local anti-trafficking task forces.

### **Recommendations**

12. This resource directory should be made publicly available on the website of the FSU Center for the Advancement of Human Rights (CAHR) (<http://www.cahr.fsu.edu>), as well as the websites of the Department of Children and Families and other relevant Florida state agencies.
13. The CAHR should update the information on a regular basis.
14. This directory should be available for trainings within each region of Florida.
15. Each Florida task force and coalition should report any new service providers in their area to the CAHR.
16. Each organization already listed on this directory should report changes in contact information to the CAHR as they occur.

## Resource Directory of Florida Organizations that Assist Human Trafficking Survivors

**Note:** The following is a list of service providers throughout Florida who assist survivors of human trafficking. The list is not exhaustive, and is comprised of organizations identified by Florida law enforcement agencies, by non-governmental organizations, and by anti-trafficking task forces throughout the state. The list is maintained and updated by the FSU Center for the Advancement of Human Rights, but does not constitute any kind of endorsement of the service providers listed here.

### Area 1: Fort Walton, Panama City, Pensacola

#### **Anchorage Children's Home**

Panama City  
850-763-7102

[www.anchoragechildrenshome.org](http://www.anchoragechildrenshome.org)

*Services: Provides housing to victims under 21 through their transitional program and if victims are under 18 they are housed at the shelter. They service both pre-certified and certified trafficking victims, and provide case management to their residents for the duration of their stay.*

#### **Catholic Charities**

Pensacola  
850-436-6420

[www.catholiccharitiesnwfl.org/](http://www.catholiccharitiesnwfl.org/)

*Services: Provide case management, counseling, health screenings, housing, legal immigration assistance, and transportation. They serve pre-certified victims for up to 9 months and certified victims for up to 4 months.*

#### **Global Child Rescue**

Pensacola  
850-525-4807

[www.facebook.com/pages/Global-Child-Rescue/181364153052](https://www.facebook.com/pages/Global-Child-Rescue/181364153052)

*Services: This faith based organization focuses on child rescue. It conducts outreach and awareness training in Florida and other states, and coordinates services with other agencies for victims of trafficking.*

**Klaas Kids**

Pensacola  
850-525-4807

[www.klaaskids.org/st-flo.htm](http://www.klaaskids.org/st-flo.htm)

*Services: Search and rescue with a focus on domestic and international minors suspected to be victims of human trafficking. This organization also conducts awareness trainings for law enforcement agencies and the general public.*

**Lutheran Services**

Pensacola  
850-453-2772

[www.lsfnet.org/](http://www.lsfnet.org/)

*Services: Housing for adolescents between the ages of 10-17 who have been abused, neglected, or who are runaways. Shelter is offered to children who meet admission requirements, including victims of human trafficking.*

**Salvation Army, Domestic Violence and Rape Crisis Program**

Panama City  
850-763-0706 or 800-252-2597

[www.uss.salvationarmy.org](http://www.uss.salvationarmy.org)

*Services: Offer emergency shelter, counseling, and legal advocacy; provide information and referrals. The program is open to domestic and international (male and female) victims of trafficking. Women have access to a domestic violence shelter and men have access to transitional housing.*

<b>Area 2: Big Bend Area</b>
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**Catholic Charities**

Tallahassee  
850-681-9164

[catholiccharitiesnwfl.org/Tallahassee](http://catholiccharitiesnwfl.org/Tallahassee)

*Services: Provide food and clothing donations, case management, assistance locating housing, and assistance in covering first month's rent and utility bills.*



### **FSU Center for the Advancement of Human Rights**

Tallahassee

850-644-4551

[www.cahr.fsu.edu](http://www.cahr.fsu.edu)

*Services: Provides pro bono immigration representation for pre-certified and certified victims of human trafficking, as well as legal assistance with asylum, Special Immigrant Juvenile, VAWA, and U-visa cases.*

### **Women's Clinic**

Tallahassee

850-656-9177 or 850-222-4050

[www.opendoorwomensclinic.com](http://www.opendoorwomensclinic.com)

*Services: A clinic for pregnant women which provides free ultrasounds and counseling; the clinic also has a project called "Gabriel Project" which provides clothing for infants and other supplies.*

### **Zonta Club of Tallahassee**

850-907-0693

[www.zonta-tallahassee.org](http://www.zonta-tallahassee.org)

*Services: Conducts awareness training on trafficking and also coordinates with its members to provide direct donations when needed.*

<b>Area 3: Jacksonville</b>
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### **Betty Griffin House**

St. Augustine

904-808-8544

[www.bettygriffinhouse.com](http://www.bettygriffinhouse.com)

*Services: Provides housing and support for domestic violence, sexual assault, and human trafficking victims. Services include counseling, transportation, case management, and assistance locating employment. Has court advocates, and also contracts out with attorneys; works with Three Rivers. Has 24 hour hotline, provides vouchers for clothing and furniture at their two thrift stores. They serve both pre-certified and certified victims. Shelter can take boys up to 17 accompanied by their mother. Victims can stay up to six weeks, and stays may be extended on a case-by-case basis.*

### **Florida Coastal Legal Services**

Jacksonville

904-680-7650

*Services: Offer pro bono legal representation to immigrant victims of human trafficking through their student immigration clinical program.*

**First Coast Child Protection Team**

Jacksonville

904-633-0300

[myfloridalegal.com/vicdirect.nsf/Fourth+Judicial+Circuit/4B4A7DE10DB70EBA852568C100669736](http://myfloridalegal.com/vicdirect.nsf/Fourth+Judicial+Circuit/4B4A7DE10DB70EBA852568C100669736)

*Services: Medical screenings and referrals, child forensic interviews; cases need to be reported to law enforcement to be eligible to receive these services.*

**Hubbard House**

Jacksonville

904-354-3114

[www.hubbardhouse.org](http://www.hubbardhouse.org)

*Services: Assists victims of human trafficking that do not have a domestic violence component to their case. Client needs are evaluated on a case by case basis to provide housing and case management. Usually case management involves seeking services and providing referrals to different agencies. Hubbard House also has a thrift store that provides vouchers to clients.*

**Jacksonville Area Legal Aid**

Jacksonville

904/356-8371, ext. 334 or (866) 356-8371 toll-free

[www.jaxlegalaid.org/v2/](http://www.jaxlegalaid.org/v2/)

*Services: Provides immigration services to persons who are certified as victims of human trafficking through HHS; covers Duval, Baker, Nassau, Clay, and St. Johns Counties; applicants' income must not exceed 187% of POV guidelines.*

**Quigley House**

Jacksonville

800-339-5017

904-284-0340

[www.quigleyhouse.org](http://www.quigleyhouse.org)

*Services: Provides emergency shelter care for up to eight weeks; during this time, advocates provide counseling, court advocacy, safety planning, and referrals to other partners. Also facilitates transportation through a volunteer program for their appointments. Services are available to both pre-certified and certified victims of trafficking.*

**Trinity Rescue Mission**

Jacksonville  
904-355-1205

[www.trinityrescue.org/pages/page.asp?page\\_id=77399](http://www.trinityrescue.org/pages/page.asp?page_id=77399)

*Services: Drug/smoke free short-term emergency shelter; in addition to shelter, provides meals and clothing. Has one facility for women and children (limited space for boys 8-13) and another facility for men and boys over the age of 13. Open to both domestic and international trafficking victims.*

**Woman's Center of Jacksonville**

904-722-3000

[www.womenscenterofjax.org](http://www.womenscenterofjax.org)

*Services: supports victims of sexual assault with legal assistance, finding shelter and clothing, providing mental health counseling on a sliding scale for victims over the age of twelve or if awarded victim compensation; provides counseling for three years (parental consent is needed for minors.) The Center assists both males and females but the majority of the clients are female. For foreign victims of human trafficking, the services are coordinated with the Jacksonville Task Force or FBI.*

**World Relief**

Jacksonville  
904-448-0733

[worldrelief.org/Page.aspx?pid=1637](http://worldrelief.org/Page.aspx?pid=1637)

*Services: Provide assistance to international pre-certified and certified victims of trafficking; cover basic needs such as housing, food, medical care, transportation, and clothing. Also assist victims in applying for public benefits.*

**The Zonta Club of Jacksonville**

904-564-9211

[secretary@zontajacksonville.com](mailto:secretary@zontajacksonville.com)

[www.zontajacksonville.com/](http://www.zontajacksonville.com/)

*Services: Human Trafficking Speaker's Bureau to increase awareness of human trafficking.*

## Area 4: Gainesville and Ocala

### **Alachua County Health Department**

Gainesville

352-334-7900

*Services: Provides initial health screenings, TB and STD testing, treatment, and primary care for human trafficking victims.*

### **Alachua County Housing Authority**

Gainesville

352-372-2549

[www.acha-fl.com](http://www.acha-fl.com)

*Services: Provides housing options within Alachua County for human trafficking victims, subject to local availability.*

### **American Red Cross**

Gainesville

352-376-4669

*Services: Provides cots, water, comfort kits, blankets, and pillows for victims of human trafficking.*

### **Catholic Charities**

Gainesville

352-372-0294 Ext. 24

[www.catholiccharitiesgainesville.org](http://www.catholiccharitiesgainesville.org)

*Services: Provides case management for victims of human trafficking and assistance depending on the needs of each victim.*

### **Child Advocacy Center, Inc.**

Gainesville

352-376-9161

*Services: Coordinates multidisciplinary care of child victims of human trafficking, including case management, therapy (individual, group, and family), and forensic interviewing.*

### **Children's Table**

Gainesville

352-486-6525

*Services: Primarily serves families with children but will also provide food for trafficking victims.*

**Gainesville Harvest**

352-665-0726

[www.gainesvilleharvest.com](http://www.gainesvilleharvest.com)

*Services: Provides food, hygiene items and some clothing items for victims of human trafficking when needed. Services are available 24/7.*

**Ocala Rape Crisis-Domestic Violence Center (Creative Services, Inc.)**

Hotline number: 352-622-5919

Administration: 352-622-5919

*Services: Counseling, legal advocacy, and emergency shelter for 12-15 weeks is available to any victim.*

**St. Francis House**

Gainesville

352-378-9079

[www.stfrancishouseqnv.org](http://www.stfrancishouseqnv.org)

*Services: Provides food, transitional housing, and intensive case management services for human trafficking victims.*

**Salvation Army:**

Gainesville

352-376-1743

*Services: Provides food, clothing, and bedding supplies for trafficking victims.*

**Three Rivers Legal Services**

352-372-0519

[www.trls.org](http://www.trls.org)

*Services: Provides a wide range of civil legal services to the poor, abused, disabled and elderly; does not provide services to undocumented people other than victims of domestic violence and human trafficking.*

## Area 5: Orlando

### **Catholic Charities (Central Florida)**

Orlando

407-658-1818

[www.cflcc.org](http://www.cflcc.org)

*Services: Provides comprehensive support to pre-certified and certified victims of trafficking in nine counties. This includes immigration legal services, counseling, and food and personal items. Also coordinates housing with other agencies.*

### **Covenant House**

Orlando

407-426-7888 or 407-482-0404

[www.covenanthousefl.org/](http://www.covenanthousefl.org/)

*Services: Provides emergency shelter care for youths age 18-20, including young mothers and their babies; shelter care includes provision of meals, clean clothes, and a safe place to sleep; also provide counseling, case management, substance abuse intervention, on-site health services, and life skills instruction; have shelter capacity for 20 youths.*

### **Cross Winds**

Cocoa Beach

321-452-0800

[www.crosswindsyouthservices.org](http://www.crosswindsyouthservices.org)

*Services: Emergency homeless and runaway shelter that is open 24/7 to serve male and female minors. Also coordinates a transitional housing program.*

### **Harbor House**

407-886-2244 Administration

Hotline is 407-697-4563

[www.harborhousefl.com](http://www.harborhousefl.com)

*Services: Domestic violence shelter that has 3 physical locations and is able to house men, women, and children accompanied by adults. All their services such as counseling, food, clothing, and referrals for legal and medical assistance are available victims.*

**Legal Aid Society of Orange County**

Orlando

407-841-8310

[www.legal-aid.com/](http://www.legal-aid.com/)

*Services: Offer legal services to thirteen counties in Central Florida and have two attorneys (one full-time and one part-time) who handle their immigration cases; at this time would refer representation of human trafficking survivors to private attorneys who provide services to their organization.*

**Safe House Seminole**

407-3303933 (Hotline)

407-302-5220 (limited hours - not for emergencies)

[www.safehouseofseminole.org](http://www.safehouseofseminole.org)

*Services: Provides a 45 day emergency shelter program; residents work with case manager and can make arrangements to stay up to 90 days. Residents who continue to need assistance and meet the requirements can request transitional housing for up to two years and then request off site transitional housing when eligible. During the stay in the program, group counseling is available and advocates assist with resources and referrals. These services are available for pre-certified and certified victims.*

**Victim Services of Orange County**

Orlando

407-644-2577

[www.victimservicecenter.com](http://www.victimservicecenter.com)

*Services: Provides comprehensive, victim-focused services to meet the needs of victims of crime, including sexual violence survivors, who reside in or were victimized in Orange County, Florida.*

**Salvation Army Brevard County Domestic Violence Program**

Cocoa Beach

321-631-2766 ext. \*822

[www.salvationarmyncbrevard.org](http://www.salvationarmyncbrevard.org)

*Services: Homeless shelter for women and children; also provide food pantry and emergency assistance.*

**The Women Center**

Melbourne

321-2423110 (Sue Kiley for questions on services for victims of trafficking)

[www.womenscenterinbrevard.org](http://www.womenscenterinbrevard.org)

Services: Full service counseling program for female, male and children victims; offers emergency shelter for a short period and depending on availability has transitional housing for two years which includes guidance and assistance for self-sufficiency.

<b>Area 6: Tampa and Clearwater</b>
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**CASA (Community Action Stops Abuse)**

727-895-4912

[www.casa-stpete.org](http://www.casa-stpete.org)

*Services: Staff specially trained in working with trafficking victims, including children; emergency shelter and crisis line, support groups, information and referrals, legal advocacy, children's programs, emergency food, clothing, personal items, safety planning, addictions intervention and referrals, special outreach to elderly and people of color, transitional housing with an afterschool program, supervised visitation, emergency response team for child abuse prevention, Peacemakers prevention for pre-school, elementary and middle school, thrift shop, community education and training, address confidentiality, relocation and crime compensation assistance.*

**Clearwater Task Force Against Human Trafficking**

727-562-4344

[www.catfht.org](http://www.catfht.org)

*Services: Coordinates with services providers in the area to meet the housing, legal, medical, and mental health care needs of victims of human trafficking.*



**Family Resource Inc.**

Manatee County

941-741-3575

[www.family-resources.org](http://www.family-resources.org)

*Services: Maintains short-term shelters (“SafePlace2B”) that provide care for runaway and homeless youth ages 10 through 17. Youth receive basic care, individual and family counseling, life skills, and are reconnected to school and other community resources. Services may be accessed 24 hours a day by calling:*

*St. Petersburg (727) 384-TEEN (8336)*

*Clearwater (727) 449-TEEN (8336)*

*Bradenton (941) 708-5850*

**Florida Coalition Against Human Trafficking**

Tampa-Clearwater

727-442-3064

[www.stophumantrafficking.org](http://www.stophumantrafficking.org)

*Services: Advocacy throughout the process of recovery for pre-certified and certified immigrant trafficking victims and for domestic trafficking victims; provides case management in meeting victim needs such as housing, medical & mental health care, and education; works closely with community service providers to secure emergency food and shelter, medical and psychological treatment, and other services for victims.*

**Gulf Coast Legal Services**

Tampa-Clearwater

727-821-0726

[www.gulfcoastlegal.org](http://www.gulfcoastlegal.org)

*Services: Offers comprehensive pro bono immigration legal representation to survivors of trafficking.*

**Lutheran Social Services**

813-875-1408

[www.lsfnet.org](http://www.lsfnet.org)

*Services: Offers short-term, residential shelter for runaways and troubled youth (ages 10-17) as well as individual and family counseling. Master's level professionals and trained staff provide a full range of services including: screening and assignments, referrals, temporary shelter, counseling, intervention, case management, and aftercare/follow-up for six months.*

**Salvation Army**

813-383-5722

*Services: Shelter is available for labor and sex trafficking, female and male victims, and available for children when referred by DCF. These services can be provided to both pre-certified and certified victims. The time frame for shelter depends on each case; the organization works with other organizations for case management.*

**World Relief**

Clearwater

727-849-7900

[www.worldrelief.org](http://www.worldrelief.org)

*Services: Offers comprehensive services which include: case management; housing; immigration legal support; advocacy; medical and dental care; mental health assessments; translation and interpretation services; job skills training/ESL and transportation; interact with over 100 local churches and ministries.*

<b>Area 7: Naples and Fort Myers</b>
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**Amigo Center**

Bonita Springs

239-437-6727

[www.amigoscenter.org](http://www.amigoscenter.org)

*Services: Provides legal services for the immigrant community and conducts public awareness trainings for the community on human trafficking.*

**ACT (Abuse Counseling and Treatment) Shelter**

239-939-3112 (Hotline)

239-939-2553 (office)

*Services: Unlimited stay for adult victims of both labor and sex trafficking (including women with children or pregnant); coordinates with resources in the area, forensic examination, advocacy with legal and law enforcement matters; offers counseling therapy provided by licensed therapists; assists victims applying for benefits (food stamps, cash assistance, Medicaid); maintains food pantry; assists with gas money and bus passes. Minor victims can receive therapy and counseling but not housing.*

**Catholic Charities**

Ft. Myers (serving Lee, Hendry, and Glades Counties)

239-322-1077

*Services: Offers wide-ranging support to immigrant victims of trafficking ( pre-certified and certified); provides counseling, food and clothing, transportation to and from appointments; assists clients in obtaining mental health services, medical, and dental care; assist with short-term housing needs; once victims become certified, they become eligible for four months of benefits; provides immigration legal services for certified victims.*

**Children Network**

Ft. Myers

239-461-7600

[www.childnetswfl.org/child\\_available.php](http://www.childnetswfl.org/child_available.php)

*Services: Sexual abuse counseling and educational services for minors only (females and males). The services are available for both US citizen sex trafficking victims and pre-certified and certified immigrant victims.*

**Coalition of Immokalee Workers**

Collier County

239-657-8311

[www.ciw-online.org](http://www.ciw-online.org)

*Services: Conducts extensive training and community education on human trafficking and migrant worker exploitation; coordinates services for survivors of trafficking including housing, counseling, jobs, clothing and food, in addition to finding medical help. The organization has been nationally recognized for its community network that features peer support.*

**Clothes Closet of Faith United Methodist Church**

Ft. Myers

239-940-1101

Open Tuesday from 9-noon and Thursday from 12-3

*Services: Provides vouchers for clothes to people in need, including victims of human trafficking. Their facility operates on a referral basis only.*

**David Lawrence Center**

Naples

239-455-8500

*Services: Mental health and substance abuse assistance including psychiatric care; most services are available on a sliding scale and are offered in Spanish, English or Creole. Serves foreign and domestic victims of trafficking.*

**Lutheran Services Florida**

Fort Myers

239-278-5400

[www.lsfnet.org](http://www.lsfnet.org)

*Services: Residential and non residential services in Lee, Charlotte, Collier, Hendry and Glades counties are offered for child victims of different crimes between the ages of 10-17. This organization offers a 30-day stay program unless there are special circumstances that require a longer stay. Services such as counseling, education, meals and snacks are provided to residential clients and counseling at home and schools is available for nonresidential clients. Serves both international and domestic child victims of trafficking.*

**The Shelter for Abused Women and Children**

239-775-1101

239-775-3862

[www.naplesshelter.org](http://www.naplesshelter.org)

*Services: Emergency shelter for domestic violence victims in Collier County; trafficking victims can stay as long as they need; the shelter has housed minor victims of human trafficking at the request of DCF; during their time at the shelter, victims have a case manager and are provided with basic needs to include transportation to and from appointments, counseling, and the option of attending support groups. In addition, the shelter has a kennel for residents who need to bring their pets.*

**Project Help**

239-649-1404

2392627227 Hotline (24 hours a day)

[www.projecthelpnaples.org](http://www.projecthelpnaples.org)

*Services: Crisis intervention counseling and advocacy; counseling is free of charge and is available for foreign and domestic victims. At this time, counseling is offered in English and Spanish and a language line is used for other languages. They also provide referrals for housing, legal and medical needs.*

**St. Mathews House Wolfe Apartments**

239-353-8746

[www.stmatthewshouse.org/index.html](http://www.stmatthewshouse.org/index.html)

*Services: Homeless shelter that provides housing for domestic and foreign (pre-certified and certified) victims of human trafficking through their transitional living apartments. Victims of human trafficking also have access to their food pantry, bus passes, and to social service referrals in the area such as the career center, health department, and mental health facilities.*

**Wings of Shelter**

239-340-2980

[www.wingsofshelter.org](http://www.wingsofshelter.org)

*Services: Faith-based organization that provides housing for female trafficking victims under 18 years of age. The facility has space for up to five people and serves both international and domestic victims.*

<b>Area 8: Miami, Broward and West Palm</b>
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**Catholic Charities Legal Services**

Miami

305-373-1073

[www.cclsmiami.org](http://www.cclsmiami.org)

*Services: Comprehensive immigration legal services to all victims of trafficking.*

**Covenant House Florida**

954-561-5559

1-800-683-8338

[www.covenanthousefl.org](http://www.covenanthousefl.org)

*Services: 24-hour shelter for any child under the age of 21 who is homeless, abused, neglected or at risk. Has both a crisis center and transitional housing. Children have access to counseling, case management, substance abuse treatment, employment assistance, independent living (classes for money management, grocery shopping and parenting education); the transitional housing is available for a maximum of two years and it is available for older adolescents.*

**Florida Freedom Partnership**

Miami

305-640-9856

[www.floridafreedom.org](http://www.floridafreedom.org)

*Services: Assistance for pre-certified and certified victims of trafficking; provides housing, counseling, legal services, cash assistance, bus passes, furniture, ESOL or literacy classes for pre-certified victims. Because funding for certified victims has more restrictions, cash assistance is not available to certified victims. However, certified victims are eligible for gift cards for supermarkets or pharmacies as well as employment services and ESOL or literacy classes.*

**Florida Immigrant Advocacy Center**

Miami

FIAC Lucha Project

305-573-1106

[www.fiacfla.org](http://www.fiacfla.org)

*Services: Comprehensive legal representation and case management for immigrant victims of both labor trafficking and sex trafficking (and provide referrals to numerous other organizations that assist victims of trafficking); also conducts trainings for law enforcement and for service providers on human trafficking.*

**Filipino Consulate**

Fort Lauderdale

954-729-6647

[www.philippineconsulateofsouthflorida.com](http://www.philippineconsulateofsouthflorida.com)

*Services: Assists Filipino victims of trafficking in south Florida; files reports with the Department of Homeland Security and the Florida Office of the Attorney General, serves as a direct liaison with the Government of the Philippines, and provides referrals to organizations that assist victims of human trafficking.*

**Kristi House**

Miami

Project Gold

305-547-6800

[www.kristihouse.org](http://www.kristihouse.org)

*Services: Housing and case management for minors to include therapy (has highly specialized multidisciplinary team that addresses sex abuse); Project Gold focuses on the needs of child victims of sex trafficking between the ages of 11-18 (both domestic and foreign-born).*

**International Rescue Committee**

Miami

305-640-9881

[www.theirc.org/us-program/us-miami-fl](http://www.theirc.org/us-program/us-miami-fl)

*Services: Case management for international children and adults victims of trafficking. IRC has a program for pre- certified victims and another for certified victims; both programs include assistance with counseling and mental health, cash assistance, and referrals for legal representation and housing.*

**Lutheran Services Florida**

Oakland Park

954-486-44222

[www.lsfnet.org](http://www.lsfnet.org)

*Services: Provides services for international victims of human trafficking through funding from USCCB; assistance may include gift cards for food at Publix or Walt-mart; bus passes, paying for housing and teaching job seeking skills. The program is available for nine months.*

**Miami Bridge Youth and Family Services**

305-635-8953

[www.miamibridge.org](http://www.miamibridge.org)

*Services: Provides services for adolescents between the ages of 10-17; temporary shelter for 30 days; offers family counseling for up to four months; parenting classes and life skills program; serve both domestic and international victims of trafficking.*

**Statewide**

**Florida Coalition Against Domestic Violence**

Tallahassee

850-425-2749

[www.fcadv.org](http://www.fcadv.org)

*FCADV provides technical assistance and support for the state’s 42 state certified domestic violence centers that provide an array of services to domestic violence survivors and their children as well as public awareness and other services to the public.*

**Florida Council Against Sexual Violence**

Tallahassee

850-297-2000

<http://www.fcasv.org/>

*FCASV serves as a resource to the state on sexual violence issues. It provides information, assistance and leadership on all aspects of sexual violence, including rape, child abuse, stalking and sexual harassment.*

**Florida Department of Children and Families, Refugee Services**

Tallahassee

850-488-3791

[www.dcf.state.fl.us/](http://www.dcf.state.fl.us/)

*The Secretary of the Department co-chairs the Florida Statewide Taskforce on Human Trafficking. The Department offers an array of services to victims of trafficking through their Refugee Services Program.*

**Florida Department of Health, Sexual Violence Prevention Program**

Tallahassee

850-245-4455

[www.doh.state.fl.us/Family/svpp/index.html](http://www.doh.state.fl.us/Family/svpp/index.html)

*The Sexual Violence Prevention Program supports activities such as primary prevention educational trainings to the general public; operation of hotlines; training programs for professionals; efforts to increase awareness in underserved communities and services to victims of sexual assault through contracted providers.*

**Florida Department of Law Enforcement**

Tallahassee

850-414-3300

<http://www.fdle.state.fl.us/Content/home.aspx>

*It provides services across the state. Along with the Headquarters in Tallahassee, they have 7 Regional Operations Centers located in Pensacola, Tallahassee, Jacksonville, Orlando, Tampa Bay, Fort Myers and Miami. In addition, the Commissioner has been assigned as one of the co-chairs for the Florida Statewide Taskforce on Human Trafficking.*



## Anti-trafficking Task Forces, Coalitions and Points of Contact in Florida

<p><b>Alachua County Human Trafficking Task Force</b>          Detective Tyson Elliott, Chair          Alachua County Sheriff's Office          352-538-5035  <a href="mailto:tselliott@alachuasheriff.org">tselliott@alachuasheriff.org</a>          Sherry Kitchens, Co-Chair          Gainesville Child Advocacy Center          352-494-3839  <a href="mailto:alachuacountyht@gmail.com">alachuacountyht@gmail.com</a></p> <p><i>Counties covered: Alachua</i></p>	<p><b>Broward County Victim Rights Coalition</b>          Adriane P. Reese, President          954-831-8221  <a href="mailto:Adriane_Reese@Sheriff.org">Adriane_Reese@Sheriff.org</a>          Website: <a href="http://www.BHTC.us">www.BHTC.us</a></p> <p><i>Counties covered: Broward</i></p>
<p><b>Circuit 7 Human Trafficking Coalition</b>          Annette Pitts, Chair          386-882-6252  <a href="mailto:Annette_pitts@dcf.state.fl.us">Annette_pitts@dcf.state.fl.us</a></p> <p><i>Counties covered: St. Johns, Putnam, and Volusia</i></p>	<p><b>Clearwater/Tampa Bay Area Task Force on Human Trafficking</b>          Lt. George Koder, Task Force Commander          727-562-4492  <a href="mailto:george.koder@myclearwater.com">george.koder@myclearwater.com</a>  <a href="mailto:humantrafficking@myclearwater.com">humantrafficking@myclearwater.com</a>          Website: <a href="http://www.catfht.org/">http://www.catfht.org/</a></p> <p><i>Counties covered: Pinellas, Hillsborough, Pasco</i></p>
<p><b>Collier County Task Force</b>          Collier County Sheriff's Office          Charlie Frost, Chair          239-793-9475          Marisol Schloendorn, Co-Chair          239-793-9176  <a href="mailto:ccsohta@colliersheriff.net">ccsohta@colliersheriff.net</a></p> <p><b>Collier County Coalition Against Human Trafficking</b>          Kerri Hixson, Chair          239-252-2754  <a href="mailto:KHixson@CA.CJIS20.ORG">KHixson@CA.CJIS20.ORG</a>  <a href="http://www.cccaht.org/index.htm">http://www.cccaht.org/index.htm</a></p> <p><i>Counties covered: Collier</i></p>	<p><b>Human Trafficking Coalition of the Palm Beaches</b>          Susan E. Larson, Chairperson          561-837-5025 Ext.168  <a href="mailto:Susan.Larson@myfloridalegal.com">Susan.Larson@myfloridalegal.com</a></p> <p><i>Counties covered: Palm Beach County</i></p>

<p><b>Lee County Human Trafficking Task Force and Lee County Human Trafficking Coalition</b>  Dr. Johnny McGaha, Co-Chair  <a href="mailto:jmcgaha@fgcu.edu">jmcgaha@fgcu.edu</a>  Mary Lewis, Co-Chair  mlewis@ccslee.org  Detective Mike Zalesky  <a href="mailto:MZalesky@sherifflee.fl.org">MZalesky@sherifflee.fl.org</a>  239-477-1241</p> <p><i>Counties covered: Lee</i></p>	<p><b>North East Florida Human Trafficking Task Force (NE FL HTTF)</b>  Robin Rossmannith, Co-Chair  904-838-5339  <a href="mailto:neflahumantraffickingtaskforce@gmail.com">neflahumantraffickingtaskforce@gmail.com</a>  <a href="http://www.shoptostopslavery.com">www.shoptostopslavery.com</a></p> <p><i>Counties covered: Duval and surrounding areas</i></p>
<p><b>Orlando Human Trafficking Coalition</b>  <b>Diocese of Orlando</b>  Catholic Charities  Education/Awareness  Tom Gillan  407-246-4868  <a href="mailto:tgillan@orlandodiocese.org">tgillan@orlandodiocese.org</a>  Victims Services  Richard Logue  Director of Immigration Refugee Services  407-658-0110  800-411-0714  <a href="mailto:Richard.logue@cflcc.org">Richard.logue@cflcc.org</a>  <b>Orlando Coalition</b>  Rescue and Restore Coalition  Tomas Lares  407-495-5846  <a href="mailto:orlandorrc@gmail.com">orlandorrc@gmail.com</a></p> <p><i>Counties covered: Orange, Seminole, Brevard, Osceola</i></p>	<p><b>South Florida Human Trafficking Task Force</b>  Homestead/Miami  Carmen Pino, Administrative Programmatic Manager  305-597-6189  <a href="mailto:carmen.j.pino@dhs.gov">carmen.j.pino@dhs.gov</a>  Tonja L. Marshall, Operational Manager  305-597-6107  <a href="mailto:tonja.marshall@dhs.gov">tonja.marshall@dhs.gov</a></p> <p><i>Counties covered: St. Lucie, Martin, Palm Beach, Broward, Miami-Dade and Monroe</i></p>
<p><b>Treasure Coast Human Trafficking Coalition</b>  Lt. John Silbas, Chair  <a href="mailto:jsilbas@sheriff.martin.fl.us">jsilbas@sheriff.martin.fl.us</a>  772-220-7066  Michelle Akins (regarding coalition matters)  772-467-6012 Ext. 114  <a href="mailto:Michelle_Akins@doh.state.fl.us">Michelle_Akins@doh.state.fl.us</a>  Van Lindsey (regarding investigations)  772-461-1293 Ext. 2107  <a href="mailto:van.lindseyii@DHS.gov">van.lindseyii@DHS.gov</a></p> <p><i>Counties covered: Martin, Okeechobee Indian River, St. Lucie, and Highlands</i></p>	<p><b>Statewide Taskforce on Human Trafficking</b>  Hiram A. Ruiz  Director, Refugee Services  Department of Children and Families  401 NW 2nd Ave., Suite N-1007  Miami, FL 33128  Office: (305) 377-5055 Ext. 315  <a href="mailto:hiram_ruiz@dcf.state.fl.us">hiram_ruiz@dcf.state.fl.us</a></p>

## **Task Forces and Coalitions Background and Activities**

Human trafficking task forces and coalitions are extremely important to Florida's ability to address and respond to human trafficking. There are four Department of Justice (DOJ) funded task forces in Florida. They are located in Tampa/Clearwater, Homestead/Miami, Collier, and Lee Counties. Other task forces and coalitions such as those in Jacksonville, Gainesville, and Orlando operate without government funding or support. Human trafficking task forces and coalitions around the state vary widely in terms of participants, activities, and size.

These coordinating efforts represent the responses of caring and motivated individuals to their areas' needs in combating human trafficking. The work of each group varies and, again, reflects their locales. Most conduct outreach/awareness activities on human trafficking and coordinate services for victims in their areas. Those that include law enforcement agencies focus on ongoing human trafficking case investigations. Task force and coalition activities most often focus on raising public awareness and on educating key members of the community. They also raise funds to support their work and to assist victims of trafficking. Both the funded and unfunded task forces and coalitions depend heavily on volunteers. Individuals and organizations in Ocala, Sarasota, and Tallahassee have also begun initial efforts to create local task forces.

These task forces and coalitions respond similarly when asked about the value of having a local coordinated effort. These responses include being able to:

- raise awareness with the entire community,
- serve victims locally with coordinated services,
- coordinate services in advance of a human trafficking "raid,"
- mobilize local expertise on different issues which improves service provision to victims,
- collaborate with one another in sharing information and existing resources,
- conduct outreach to non-traditional and underserved victim groups,
- conduct victim-centered training for partners,

- have better coordination for trafficking prosecutions,
- help victims to access more services,
- identify gaps and duplication of services,
- bridge the gap between law enforcement and NGOs/service providers,
- raise community awareness of the indicators of human trafficking through the use of local, state, and national resources,
- assure that no one agency works in isolation and that there is support for referrals, advice, and assistance,
- learn about best practices and how to implement them within other agencies,
- access a wide range of professionals who can train and do awareness events at no cost, and
- immediately identify all local, state, and federal law enforcement contacts and service providers in case of a raid with multiple victims.

### **Alachua County Human Trafficking Task Force**

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The Alachua County Human Trafficking Task Force does not receive funding for its activities and therefore it relies on its members, organizations, and agencies in the area for support. It was established in 2007 and at the present time has 30 regular members and 100 on their list serve. Alachua is the only county that the task force covers but it is planning on expanding to Baker, Bradford, Union, Levy, and Gilchrist counties next year.

The first point of contact for this task force is Detective Tyson Elliot with the Alachua County Sheriff's Office. The Task Force coordinates services with various organizations such as Three River Legal Services, Florida Rural Legal Services, Gainesville Harvest, Catholic Charities, and local churches. Among these different organizations, they are able to provide shelter, legal services, and case management for victims.

They rely solely on the collaboration from different groups within their area to accomplish their goals. For example, churches have assisted with temporary housing, and a member of one of

the churches also has allowed the use of his apartment complex for temporary housing. Other task force members have provided housing through local shelters and have also found long term housing with the help of the local housing authority.

They do outreach in the form of presentations and trainings to agencies and community groups. In addition, they are coordinating with the Body Shop to set up a table with information on trafficking. They are in the process of bringing the FDLE 40 hour special investigator training to the Gainesville area.

### **Broward Human Trafficking Coalition (BHTC)**

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BHTC was established in 2010 and is still in development. This Coalition works very closely with Miami-Dade and Palm Beach counties. It has members who represent various law enforcement entities (local, state, and federal), as well as NGOs. It does not receive government funding. It maintains an active "speakers bureau" that has presented in forums ranging from school based groups to emergency room nurses' associations. They have a committee focused solely on business and fair trade products, education, and awareness. They also work with a wide range of national and local service providers including the National Center for Missing and Exploited Children, Salvation Army, Lutheran Services, Women in Distress, PACE Center for Girls, Coast to Coast Legal Aid, and the local county health department and law enforcement. BHTC assists in coordinating efforts. Recently, they worked with the SENetwork to secure a grant for Broward County to work on an awareness campaign specifically targeting LGBT youth given their particular vulnerability. In terms of general outreach, BHTC speaks to different groups on the topic of human trafficking. In early 2010, BHTC worked with the BVRC (Broward County Victim Rights Coalition) to offer public presentations in conjunction with the FBI. The Coalition meets once every month and approximately 50 people attend their monthly meetings.

### **Circuit 7 (Flagler, Putnam, St. Johns, and Volusia County) Human Trafficking Coalition**

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This coalition started in January 2010 and it meets quarterly. It does not receive any funding from the government and therefore its awareness, outreach and other activities depend solely

on the efforts of its trained volunteer members. Individual members have conducted presentations to faith-based organizations, domestic violence centers, child advocacy centers, and law enforcement which have resulted in building relationships in the area. At this time, there are approximately 50 members who belong to agencies and organizations such as law enforcement, DCF, educational entities, and domestic violence and homeless shelters located in St. Johns, Putnam and Volusia counties. The Coalition is working with DCF to identify a person who will be responsible for leading the Coalition. The FBI or DCF have been identified as the first points of contact when a new case arises. This coalition has reached out to the Northeast Task Force for victim assistance from service providers in the Jacksonville area when necessary.

### **Clearwater/Tampa Bay Area Task Force on Human Trafficking**

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The Clearwater Task Force is funded by DOJ and was established in 2006. They have been recognized as a model task force throughout Florida and nationally. Their main emphasis is for law enforcement and service providers to work together to cover all aspects of human trafficking. The Task Force members have conducted “immersion training,” to assist other task forces around the country. In these sessions, a less well performing task force is paired with the higher achieving task forces from around the U.S. for a five-day training.

The major partners in the task force are World Relief, Salvation Army, Gulf Coast Legal Services, and the Regional Community Policing Institute (RCPI), but they also work with various other government agencies and NGO partners in the area. Together they conduct awareness-raising activities at churches and rotary clubs, and they coordinate services for victims. They use materials from HHS and also use materials in Spanish to increase awareness within the Hispanic community. For National Human Trafficking Awareness Day, they conduct presentations in three different counties and have a 5K walk that takes place in the fall.

Meetings are open to the public. They are required to meet at least quarterly and have approximately 75 participants at these meetings. Groups such as the Soroptimist and Zonta have participated at their meetings and are very active in delivering presentations on human

trafficking to various community groups. In addition, the Regional Community Policing Institute has developed materials for volunteers, as the Task Force relies on various volunteer groups to assist with awareness activities. A “speakers’ bureau” has formed to assist the Task Force in its awareness initiatives in the area.

Since 2006, the task force has worked with 17 human trafficking victims, leading to 52 arrests and 21 convictions of traffickers. They worked with one case in Hillsborough County involving a disabled domestic minor, and have participated with active investigations into labor, and domestic and international sex trafficking cases, all involving adults.

### **Collier County Task Force**

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The Task Force is funded by DOJ and was established in 2004. Its members include the Collier County Sheriff’s Office, FBI, ICE, U.S. Attorney’s Office and the Collier County Coalition Against Human Trafficking. This Coalition includes all the service providers and community members that aid victims of trafficking. The Task Force conducts targeted community outreach, presentations, training programs, and walks. These presentations have been conducted for a wide array of community leaders and groups. They have distributed information to agriculture workers in English and Spanish from November through May every year.

The Task Force also helps with investigative trainings with state agencies. One of the new trainings that has been developed is for crew leaders (supervisors leading a group of workers). The University of Florida has a certificate program for crew leaders and has allowed the Task Force to incorporate human trafficking information into its curriculum. Members and participating agencies include women’s shelters, Catholic Charities, Collier Health Services, Salvation Army, Grace Place for Children and Families, Collier County Homeless and Hunger Coalition, Florida Freedom Partnership, the Florida Immigrant Advocacy Center (FIAC), the Coalition of Immokalee Workers (CIW), and San Matthew House (which provides temporary housing, clothing and food).

Out of the many cases the Task Force has been involved with, three were investigated and prosecuted as human trafficking cases at the federal level. They see mainly labor trafficking of adult males, but have had a few female minor sex trafficking cases as well. The Task Force does not have meetings as do other task forces but the Coalition and the Sheriff's Office meet every month to discuss outreach activities. The Coalition coordinates fund raising and accepts donations to conduct their outreach.

### **Human Trafficking Coalition of the Palm Beaches**

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This Coalition was established in 2005. They participate in community health fairs and other community/coalition events that help display information on human trafficking. They also target certain areas in Palm Beach County, (e.g. the Belle Glade area, Boynton Beach area, etc.) for human trafficking public awareness efforts. Outreach materials are in Creole, English, and Spanish. The Coalition provides free presentations and handouts on trafficking to a wide array of social services, health care organizations, law enforcement, non-governmental organizations, community leaders, business organizations, and religious and community groups.

As a voluntary coalition, they depend on private funding. Their members include local and federal law enforcement, state attorneys, Department of Health, Department of Education, emergency personnel, non-governmental agencies, and concerned citizens. They are exploring the possibility of becoming a 501(c)(3) organization. They are developing a protocol in conjunction with the Palm Beach County Emergency Services to assist the FBI when it conducts anti-trafficking raids and needs to house and care for multiple victims. The Coalition also is working on a Human Trafficking Protocol with Palm Beach County in order to find specific housing for victims.

The Coalition meets once a month for two hours as a general group. They also have a "Core Group" that meets once a month before the general meeting. Their training committee and the Core Group members are in regular contact. The Core Group has nine members and the general group meeting usually has about 25-30 attendees. Their e-mail list is extensive, and



they have agencies and individuals who sign up for e-mail updates and meeting minutes. When they provide presentations to the community, they have a “Join Us” form that they use for those who may be interested in joining the Coalition or who just want monthly updates. The updates include articles on human trafficking, educational opportunities, and any other pertinent information.

### **Lee County Human Trafficking Task Force**

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Lee County has a task force that has been funded by DOJ since 2005. The Task Force mainly coordinates law enforcement efforts to investigate human trafficking cases. They also have a coalition that is open to the public and was formed for organizations to share information about their resources and opportunities for training and outreach. Both the Task Force and Coalition work jointly to combat human trafficking and coordinate services.

Training is offered by members of the Task Force. The Human Trafficking Awareness Partnerships does work to raise public awareness about human trafficking. This involves workshops and conferences in the Lee County area. An estimated 40 human trafficking cases of domestic and foreign nationals have been reported within the past year. The domestic cases reported have been sex-trafficking and the foreign cases have involved labor and sex trafficking.

Lee County Sheriff’s Office and federal law enforcement are the first to be contacted if a human trafficking case is suspected. Both agencies refer cases to Catholic Charities for services and both entities coordinate with partner organizations to provide services for pre-certified and certified victims. Services are coordinated with agencies and organizations such as the Amigos Center, FIAC, Florida Rural Legal Services, Ave Maria Law School, various shelters in the area, Lee County School system, Florida Gulf Coast University, and faith-based organizations.

The Task Force currently meets once a month, with approximately 10 attendees. This is separate from the Lee County Trafficking Coalition. The Coalition meets every few months and 25 to 50 Coalition members typically attend.

## **North East Florida Human Trafficking Task Force**

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The Task Force was established in 2005 and in 2007 they received funding from FCAHT to develop an outreach strategy and materials. They rely on the task force members to conduct outreach and assist in their activities. They currently have a \$6,000 budget thanks to funds raised by the October 2009 SCTNow awareness walk.

This task force conducts a range of public awareness activities including Awareness Walks, College and Social Service Fairs, Human Trafficking Awareness Day events, website creation and promotion, engagement in social media, speaking events (to churches, mothers' groups, professional agencies, etc.), press conference and releases, email campaigns, radio shows and concerts. They also have partnered with the Body Shop to do awareness campaigns at a local mall. They have participated in and conducted trainings for law enforcement, social services, government agencies, and the community since 2007.

The local anti-trafficking organization World Relief has a partnership with USCCB to provide funds for victim services to international human trafficking victims. Domestic minor victims who are not reunited with family receive all services through DCF service providers. The Task Force helps to coordinate services for victims of trafficking and is developing a protocol to assist victims in the future.

In their area, the Jacksonville Sheriff's Office (JSO) and FBI work together to investigate cases, and both offices have full-time victim advocates. The FBI victim advocate handles case management for victims and World Relief Jacksonville also has funds available to assist international victims. DCF, other social service agencies, and some medical professionals have received training on identifying victims. Housing for victims is arranged as needed by the victim advocate or case manager. It is common for female victims to be placed in a domestic violence shelter, depending on the victim's needs and security requirements. The Task Force has been discussing the need for emergency shelter and long term housing for victims of trafficking.

The Task Force meets monthly and every quarter conducts a community meeting. About 25 people attend the committee meetings and up to 50 attend the Report to the Community meetings held every quarter. They also communicate via email to over 300 people.

### **Orlando Human Trafficking Coalition**

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The Orlando community is served by a human trafficking coalition that is not funded by the federal government but which assists law enforcement by providing victim care and furthermore connects a variety of Orlando service providers. One of the primary points of contact for victim services is the Catholic Diocese of Orlando, operating through its Catholic Charities Office. Catholic Charities has assisted with numerous human trafficking cases in the area. It currently has two different missions on human trafficking: one is to conduct education and awareness activities and the other is to provide direct services to pre-certified and certified victims. These services can include providing gift cards, assisting with rent, utilities, and job placement, applying for benefits once victims are certified, and representing victims on their immigration cases. Catholic Charities works in close collaboration with other Orlando service providers, including Harbor House, Covenant House, private doctors and counselors, and the Salvation Army. They have multi-language capabilities within their institution to facilitate communication with international victims.

Orlando is also served by the Orlando Rescue and Restore Coalition, which was founded by the Florida Coalition Against Human Trafficking (FCAHT) in 2007. Since its inception, the Rescue and Restore Coalition has grown to over 40 agencies, including FDLE, DCF, and the Metropolitan Bureau of Investigation. During 2010 the Super Bowl in Miami, FCAHT partnered with the Klaas Kids Foundation and the Miami-Dade Police Department to do street outreach to potential domestic minor sex trafficking victims, and worked to engage the local business community in their efforts. FCAHT outreach efforts are evolving and on-going, and include HHS poster campaigns, sponsorship of an annual march to raise trafficking awareness, extensive community presentations, and maintaining trafficking information on the

[www.stophumantrafficking.org](http://www.stophumantrafficking.org) website. FCAHT currently spearheads a Domestic Minor Sex Trafficking Subcommittee and a Stop Child Labor Trafficking Subcommittee in the Orlando area.

The Orlando coalition has identified a number of victims of human trafficking (the majority of whom are exploited for labor trafficking cases and are both domestic and international males).

### **South Florida Human Trafficking Task Force**

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This task force was established in 2007; it is funded by DOJ and also receives additional operational support such as personnel and office space from DHS. The Task Force is primarily law enforcement focused, covering both labor and sex trafficking of international victims. Members give presentations throughout Miami-Dade and Broward Counties on trafficking to community organizations and law enforcement officers. They do these presentations at the request of local organizations and law enforcement agencies. They distribute DOJ public awareness materials. The Task Force does not provide direct services. Instead, they are the first point of contact when cases arise and have an unwritten agreement with local NGOs to provide law enforcement related services. Their main service provider partners are FIAC, FCAHT and the Florida Freedom Partnership.

They meet monthly or weekly with other law enforcement (depending on the status of ongoing cases), and quarterly with all of the partners (law enforcement and service providers). ICE has appropriated funding for investigations, and DOJ funding goes to support the local law enforcement personnel in their overtime, travel and outreach activities.

### **Treasure Coast Human Trafficking Coalition**

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This Coalition began in June 2009 and it covers Martin, Okeechobee, Indian River, St. Lucie, and Highlands counties. The Coalition is divided into law enforcement, community awareness, and social services subcommittees. The main focus of their work is community awareness that is carried out by volunteers and assisted by donations. For instance, Crime Stoppers has provided funding to buy business cards, create a coalition logo, bookmarks, and a banner. These

materials include the Crime Stoppers number and have a list of service providers to contact. The Clearwater Task Force has mentored and assisted their efforts. They have conducted or participated in trainings for law enforcement, DCF, and the Attorney General's office. Their partners include Crime Stoppers, the St. Lucie Sheriff's Office, Salvation Army, domestic violence shelters, DCF, and FIAC. Law enforcement or DCF (if the case involves a minor) have been assigned as the first contacts if a case arises.

There is a quarterly meeting for all members of the Coalition and the advisory board meets every two months. Subcommittees meet every few months.

### **Florida Faith-based Initiatives**

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Leaders of all nine Catholic dioceses in the state of Florida will be receiving training this year so that they can train members of their own dioceses and communities using a standardized curriculum on human trafficking. These trainings will be conducted in local parishes and will emphasize how Florida's Catholic community can both report human trafficking and also assist with victim care throughout the state.

**GOAL 3: To deploy effective public awareness strategies.**

This section describes local, state, national and international human trafficking public awareness strategies. The intent of this goal is to share information about what has characterized effective public awareness campaigns and outreach efforts and where Florida should move in the future to create and sustain effective anti-trafficking awareness messaging.

Increasing public awareness of human trafficking is a core element of any successful anti-trafficking strategy. As one commentator put it:

Combating human trafficking and sexual exploitation requires activist efforts on many fronts, but the key to success is increasing the public’s understanding about the scope of the problem and the harm it inflicts. As history has shown, every great social-justice movement advanced when either significant people or a significant number of people recognized a need for change and acted on it.<sup>1</sup>

Yet, informing the public and motivating people to act remain a great challenge. There is only anecdotal evidence that tells us what works to make members of the public aware of human trafficking so that they change their behavior.

Public awareness campaigns can motivate changes in behavior in a number of ways. After viewing a public service announcement (PSA), people might be motivated to join community anti-trafficking coalitions, post materials in the workplace, donate money to good causes, support a law change to help victims, or call the police if they suspect human trafficking. Or, they may simply be well-informed so that they make wiser consumer choices and buy goods that are “slavery-free.” Alternatively, they may do their jobs better to assist victims of trafficking, as understanding human trafficking can help everyone from the local code inspector

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<sup>1</sup> Chicago Alliance Against Sexual Exploitation, *National and International Public Awareness Campaigns Against Human Trafficking and Sexual Exploitation*, Piekarz, A., Cowan, E. and Finkeldey, B. (2010) found at [http://www.caase.org/pdf/resources-research/Awareness-Raising\\_Report.pdf](http://www.caase.org/pdf/resources-research/Awareness-Raising_Report.pdf).

to an emergency room nurse understand a potential trafficking situation and act in safe and effective ways to protect victims and help connect them to services.

### **Key Elements for an Effective Public Awareness Campaign**

Whether an awareness campaign utilizes print, video, or both, there are three main components for an effective campaign:

**1. A Broad Support System** - Establishing a broad support system of individuals and interested groups (scholars, legislators, religious institutions, nonprofit organizations, law enforcement, corporations, media, professionals, students, and the general public) helps garner and mobilize community support for a campaign. The more individuals working on an awareness campaign, the greater the likelihood of the campaign's success.

**2. Diverse Activities** - A campaign's message should be relayed to the public through a variety of means in an effort to reach more people who will connect to the campaign's purpose. Examples include educational events; poster, postcard, and other media campaigns; protests and awareness events; petitions, lobbying, and fundraising; educational speeches; informational flyers; concerts and street dramas; research studies; personal testimonials; and other advocacy efforts.

**3. An Accurate and Concise Message** - The message of a campaign must be short and powerful to mobilize people to action. Testing messages through focus groups and other research tools enables activists to refine a campaign's message and increase its effectiveness.

*From Chicago Alliance Against Sexual Exploitation, National and International Public Awareness Campaigns Against Human Trafficking and Sexual Exploitation, Piekarz, A., Cowan, E. and Finkeldey, B. (2010) found at [http://www.caase.org/pdf/resources-research/Awareness-Raising\\_Report.pdf](http://www.caase.org/pdf/resources-research/Awareness-Raising_Report.pdf), p.3.*

## Cultural Relevance and Competency: Tailoring the Message to the Audience

Human trafficking disproportionately affects vulnerable people and their vulnerabilities can make it difficult to reach and inform them about human trafficking. For instance, Haitian guest workers in the U.S. on H2-A visas may not know English, may be desperate for work and probably will not understand U.S. laws and culture. Their employers may keep them very isolated from others. Reaching these workers with public awareness messages in outreach campaigns can be a challenge – unless one knows that many Haitians listen to the radio in the U.S., just as they did in their home country. To cite another example, teens are more used to communicating via text messages, Facebook, and You Tube videos, and so these are effective media to use.

Community groups that work with immigrants generally are trusted by the people they assist, and so information posted in their offices and recreation facilities are likely to reach these underserved minority populations. This is why it is imperative for those engaging in public awareness campaigns to develop partnerships with ethnic and community based organizations. These local groups will help ensure that the messages are crafted in ways to reach the target audiences. For instance, in one community, businesses in a Chinese neighborhood refused to post outreach campaign posters that featured human trafficking awareness information in Chinese. This campaign's strategies quickly changed when their Chinese partners told them that posting "bad news" in a business causes bad luck.

It is also extremely helpful to organize focus groups of the target audience as part of messaging development and implementation. If they are involved, there is a far greater chance that the anti-trafficking discovery and assistance information will reach the intended groups. One of the nation's premier anti-trafficking organizations, the Coalition to Abolish Slavery and Trafficking (CAST) works with a trafficking survivor caucus whose input has been invaluable to their work.



The U.S. Department of Health and Human Services' Rescue and Restore Regional Program is geared specifically to public awareness and helps communities to spread the word about human trafficking and available help.<sup>2</sup> Communities around the nation that are funded by this program engage in diverse public awareness efforts. One program in Massachusetts writes articles in the local Vietnamese, Thai and Korean newspapers on human trafficking. A project in Kentucky is developing outreach materials for workers who will be attending a large international equestrian event. Teen participants in a domestic minor sex trafficking program developed their own outreach brochure that uses messaging that will reach others in their peer group. In Los Angeles, CAST conducts many community presentations and is strategic about how it promotes them, making them inclusive as well as ensuring that people won't either be stigmatized or hesitant to attend. So, a program entitled "Know Your Rights" will likely draw more participants than one called "Let's Talk About Human Trafficking." These are all good examples of public awareness campaigns and outreach strategies that take into account the cultural contexts and realities of the intended audience.

### National and International Anti-Trafficking Public Awareness Efforts

Informing the public about human trafficking can take place on many levels. President Obama proclaimed January as "National Slavery and Human Trafficking Prevention Month" and said:

Fighting modern slavery and human trafficking is a shared responsibility. This month, I urge all Americans to educate themselves about all forms of modern slavery and the signs and consequences of human trafficking. Together, we can and must end this most serious, ongoing criminal civil rights violation.<sup>3</sup>

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<sup>2</sup> The Rescue and Restore Regional Program serves as the focal point for regional public awareness campaign activities and intensification of local outreach to identify victims of human trafficking. Each Rescue and Restore Regional partner oversees and builds the capacity of a local anti-trafficking network, sub-awarding 60 percent of grant funds to grassroots organizations that identify and work with victims. By acting as a focal point for regional anti-trafficking efforts, Rescue and Restore Regional partners encourage a cohesive and collaborative approach in the fight against modern-day slavery. <http://www.acf.hhs.gov/programs/orr/about/divisions.htm#5>

<sup>3</sup> <http://www.whitehouse.gov/the-press-office/presidential-proclamation-national-slavery-and-human-trafficking-prevention-month>

Others around the country also observed January 11, 2010 as “Human Trafficking Awareness Day.”<sup>4</sup> Around the state and nation, people rally to raise awareness of human trafficking in a variety of other ways. CAST, conducted an intense broad-based public awareness campaign from January – February 2010.<sup>5</sup>

“The public” is often a target for awareness. This means the public-at-large and brings to mind billboards, posters, print advertising, and other kinds of messaging meant for mass audiences. These campaigns are almost always accompanied by interactive websites that offer: information about human trafficking; compelling visual images; resources; direction on how to get involved, learn more and contact organizers; and links to other compatible sites. An example of this kind of campaign is the New York City Mayor Bloomberg’s public awareness campaign: Let’s End Human Trafficking.<sup>6</sup>

Two states, Washington and Texas, have passed laws to promote public awareness of human trafficking. In Washington State, the 2010 Legislature passed a bill to allow the posting of multi-lingual information about human trafficking, including hotline numbers, in highway rest areas, particularly in bathroom stalls.<sup>7</sup> Another law passed that year in Washington directs the Department of Labor and Industries to incorporate information on assisting victims of trafficking “as appropriate” into its posters and brochures.<sup>8</sup> Texas passed a law in 2007 that mandates that any establishment that sells alcohol post signs in English and Spanish that display information about human trafficking including the national human trafficking hotline number.<sup>9</sup> The national hotline staff cites this as one reason why Texas has more calls into the Hotline than any other state.

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<sup>4</sup> See this website for a listing of activities that occurred around the country on January 11, 2010.

[http://humantrafficking.change.org/blog/view/national\\_human\\_trafficking\\_awareness\\_day\\_events\\_near\\_you](http://humantrafficking.change.org/blog/view/national_human_trafficking_awareness_day_events_near_you)

<sup>5</sup> <http://www.castla.org/campaign-calendar>

<sup>6</sup> <http://www.nyc.gov/html/endht/html/home/home.shtml>

<sup>7</sup> <http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202010/6330.SL.pdf>

<sup>8</sup> <http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202010/6332-S.SL.pdf>

<sup>9</sup> <http://www.statutes.legis.state.tx.us/Docs/AL/htm/AL.104.htm#104.07>

An important aspect of some of these public awareness efforts is that they are leveraged with existing work. The Texas campaign builds on the already-existing requirements to post information. There are scores of organizations already doing public outreach campaigns – whether they are for safety like Crime Stoppers or Neighborhood Watch programs or more specialized, community-based outreach conducted to reach day laborers or mini radio “novellas” developed to reach farmworkers from indigenous areas of Mexico done by CAST partners in the Los Angeles area.

The use of on-line and hard copy “tool kits” is also an increasingly popular and useful way to engage the general public and promote awareness. These toolkits have several common features. They are easy to read, access and download, they are free or at low cost, and they contain basic and strategic information that can help the novice as well as someone with an understanding of human trafficking take action in his or her community. Some are geared to certain sectors such as those produced by the United Nations Office on Drugs and Crimes for criminal justice professionals,<sup>10</sup> but most are broad in their appeal like the community Members’ Guide produced by Free the Slaves.<sup>11</sup>

Other campaigns feature similar messaging and also include links to social media sites such as Facebook or Myspace and other forms of electronic media publicity. Some campaigns are primarily web-based and feature short public service announcements that are developed solely for viewing on line. Other forms of electronic media, such as MTV’s *EXIT, End Exploitation and Trafficking* campaign features short PSAs and Hollywood stars such as Lucy Liu and Angelina Jolie narrating short documentary-style videos that tell the trafficking survivors’ stories in ways designed to appeal to today’s youth.<sup>12</sup> This campaign also features videos of Asian survivors’ and traffickers’ voices in their native languages including Burmese, Thai, Tagalog, Mongolian and Korean. This web-based campaign again illustrates the importance of being culturally relevant and appropriate to the target audience. Here, both young people as well as non-

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<sup>10</sup> <http://www.unodc.org/unodc/en/human-trafficking/publications.html>

<sup>11</sup> <http://www.freetheslaves.net/Document.Doc?id=69>

<sup>12</sup> <http://www.mtvexit.org/video.php?lang=1>

English speakers from a variety of Asian cultures are seeing culturally-tailored and language appropriate messages.

There is no question that these broad-based types of public messaging are crucial. Other examples are both the “Blue Heart” campaign of the United Nations Office on Drugs and Crimes (UNODC)<sup>13</sup> and the “Blue Blindfold” campaigns in both the United Kingdom<sup>14</sup> and Canada.<sup>15</sup> “The Blue Heart represents the sadness of those who are trafficked while reminding us of the cold-heartedness of those who buy and sell fellow human beings. The use of the blue UN colour also demonstrates the commitment of the United Nations to combating this crime against human dignity.” The “Blue Blindfold” campaign is also broad-based:

The Blue Blindfold represents how people are blind to the fact that human trafficking is happening near them. If people see something, we want them to take positive action. To open their eyes. To call Crimestoppers anonymously. Or report it to their local police.<sup>16</sup>

Finally, in the U.S. the most well-known of the public awareness campaigns is the “Look Beneath the Surface” themed “Rescue and Restore” campaign.<sup>17</sup> All of these campaigns take on the task of educating the public-at-large.

### Florida Public Awareness Campaigns

Florida has not adopted a statewide anti-trafficking public awareness campaign of any kind. Some communities and organizations have adopted or used the national Rescue and Restore coalition materials. Many others, including some of the anti-trafficking coalitions allied with the Rescue and Restore campaign, have created and used their own local campaign messages in

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<sup>13</sup> <http://www.unodc.org/blueheart/en/about-us.html>

<sup>14</sup> <http://www.blueblindfold.co.uk/index.php>

<sup>15</sup>

[http://humantrafficking.change.org/blog/view/canadas\\_blue\\_blindfold\\_campaign\\_will\\_open\\_eyes\\_to\\_human\\_trafficking](http://humantrafficking.change.org/blog/view/canadas_blue_blindfold_campaign_will_open_eyes_to_human_trafficking)

<sup>16</sup> <http://www.blueblindfold.co.uk/aboutukhtc/>

<sup>17</sup> <http://www.acf.hhs.gov/trafficking/>

addition to the Rescue and Restore materials. Public awareness efforts have been diverse across the state and few areas have engaged in actual campaigns. Rather their efforts are usually limited to one-time events such as sponsored awareness walks, marches, or conferences where national speakers have come and addressed an aspect of human trafficking. Some local human trafficking task forces, coalitions, anti-trafficking non-governmental organizations,<sup>18</sup> service groups,<sup>19</sup> faith-based organizations and others have also mounted local campaigns to raise awareness of human trafficking in their own areas.<sup>20</sup> For instance, Catholic dioceses statewide are now receiving training on human trafficking so that in January 2011, Catholic churches around the state will be learning about human trafficking, and how to assist trafficking victims, on the same Sunday.

The Clearwater/Tampa Bay Area Task Force on Human Trafficking has a great deal of information on its website including videos and public service announcements.<sup>21</sup> The website lists Task Force activities, as well as upcoming training events so that people in that area can become educated on the topic and engage locally.

The Coalition of Immokalee Workers (CIW) engages in a wide variety of public awareness campaigns ranging from the recent Florida Modern-Day Slavery Museum which has traveled throughout Florida and other places in the U.S. to the “fair food” and “anti-slavery” campaigns that promote just wages and treatment for farm workers.<sup>22</sup> The key to the CIW’s education, outreach, and public awareness efforts are the many different levels in which they engage. The low-power radio station reaches out specifically to workers, CIW materials are framed in a general labor rights framework which can assist workers and the public to understand that human trafficking is on a continuum of labor abuses as well as to help workers understand their right. CIW’s consumer-based campaign is highlighted by the mobile modern-day slavery

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<sup>18</sup> <http://www.ciw-online.org/>

<sup>19</sup> [http://www.zonta-tallahassee.org/index.php/human\\_trafficking/](http://www.zonta-tallahassee.org/index.php/human_trafficking/)

<sup>20</sup> See pages 64 through 76 of this *Plan* for a description of local anti-trafficking task forces and coalition public awareness activities in Florida.

<sup>21</sup> [http://www.catfht.org/index.php?option=com\\_content&task=view&id=4&Itemid=12](http://www.catfht.org/index.php?option=com_content&task=view&id=4&Itemid=12)

<sup>22</sup> <http://www.ciw-online.org/>

museum and marches, and their numerous presentations engage students and communities across Florida. These efforts are focused on involving consumers in corporate accountability campaigns. The CIW website is replete with videos, news and other information and features all of these efforts.

Two NGOs in Florida, the Florida Coalition Against Human Trafficking (FCHAT) and the Florida Freedom Partnership (FFP), have sponsored public awareness efforts aimed at disseminating general information to Florida communities about human trafficking. These campaigns used a combination of print advertising, billboards, and a series of public service announcements to warn about the dangers of human trafficking, including child sexual exploitation.

Other kinds of public awareness campaigns or outreach strategies are those that focus on a particular population. For instance in May 2009, the Southeastern Network of Youth and Family Services (SEN) received a grant to support Rescue and Restore Coalition activities in Alabama and at seven sites in Florida.<sup>23</sup> Through training and technical assistance, practice protocols, and real time guidance, this project targets street outreach program staffs and service providers at runaway and homeless youth centers so they can assist domestic and foreign born human trafficking victims. Runaway and homeless youth shelters are important places to target this kind of outreach as many victims of trafficking may either be referred to these facilities or, due to past abuse or other vulnerabilities, may be easy prey for traffickers in the future. Professional groups, such the Florida Medical Association, have also begun to include human trafficking in their mandatory domestic violence training curriculum.<sup>24</sup> The Florida Coalition Against Domestic Violence received grant funding and developed materials to help local domestic violence centers understand human trafficking and assist victims including a handbook in English, Spanish and Creole as well as a manual for domestic violence programs.<sup>25</sup> FCAHT has also begun a new initiative in coordination with local school boards designed to

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<sup>23</sup> [http://data.memberclicks.com/site/snyfs/Human\\_Trafficking\\_Compendium\\_2010.pdf](http://data.memberclicks.com/site/snyfs/Human_Trafficking_Compendium_2010.pdf)

<sup>24</sup> [http://www.fmaonline.org/Layout\\_1Column.aspx?pageid=2722](http://www.fmaonline.org/Layout_1Column.aspx?pageid=2722)

<sup>25</sup> <http://www.fcadv.org/legal>

bring human trafficking trainings into local high school classrooms. This public awareness project focuses on teenage girls who might be at risk of domestic minor sex trafficking.

The 2010 Super Bowl in Miami, Florida provided the venue for one of the country's first concerted public awareness campaigns against domestic minor sex trafficking. A coalition of non-governmental organizations (NGOs), including Kristi House, Klaas Kids, and the FCAHT, joined forces with local law enforcement agencies to raise awareness about the commercial sexual exploitation of minors that often surrounds major U.S. sporting events. Aware that Internet sites and community newspapers were marketing the ready availability of "escorts" to sports fans arriving for the weekend, the NGOs were especially concerned about the likely influx of potential traffickers and minor victims into the area. The coalition of volunteers targeted hotels and businesses that might come in contact with minor victims of commercial sexual exploitation, and conducted trafficking awareness efforts prior to Super Bowl weekend. They then sponsored street outreach during the game weekend itself, coordinating with juvenile sweeps and missing child recovery efforts conducted by the Miami-Dade Police Department. A total of 163 volunteers participated in the outreach efforts. A total of 14 leads were generated regarding missing children, and six children were recovered. An anti-trafficking NGO in Kentucky has planned a similar event to generate awareness of human trafficking and help for victims at an upcoming international equestrian event.

### Overcoming Challenges

There are many challenges to successful public awareness campaigns, with one of the foremost being how to measure the campaign's effectiveness. Anecdotal evidence is the most common way to assess success and is a valid measurement. For instance if an intake counselor asks someone seeking services "How did you hear about us?" this information can help that NGO understand its impact and reach. Some organizations can measure the effectiveness by how many calls come to their hotlines, perhaps one of the more quantitative tools. With resources being scarce, it is difficult for groups to justify large evaluation budgets; at the same time, it is important to ensure that money spent on public awareness is not wasted, so making some

effort to evaluate the effectiveness of outreach is important. The U.S. Department of Health and Human Services, Office of Refugee Resettlement is working with its public awareness and outreach grantees to develop “best practices” in this area – and this information should be valuable for current grantees as well as other groups around the country to be able to develop successful strategies.

Other challenges come when public awareness efforts assume incorrectly that the community they are targeting is homogenous or when the community outreach results in people sympathizing with the traffickers or blaming the victims for the abuse that they suffer. Anyone engaging in public awareness strategies should be prepared to counter these misinterpretations of the anti-trafficking messages. Troubling consequences can follow when, a compelling campaign inspires people to “rescue” or “save” victims on their own. This can instead endanger both the “rescuers” and the victims, as well as run afoul of ongoing law enforcement investigations. Therefore, it is imperative for public awareness efforts to ensure that individuals and NGOs know *not* to try to “save” victims on their own, know where to call if they suspect human trafficking, and know how they can assist victims with food, clothing, employment and other needs under the direction of a qualified anti-trafficking NGO.

Another caveat and challenge to victim safety occurs when NGOs and others allow the media to accompany law enforcement on “raids” or share information concerning victims or potential victims with the media. The 2010 Trafficking in Persons Report is explicit on these points:

NGOs, however, should not play a lead role in a raid or rescue, as they lack authority to perform law enforcement actions and could easily be caught in a cross-fire. NGOs and the media should avoid any practices harmful to the rights of children or others. While it may be attractive as a public relations tool, including broadcast media in counter-trafficking raids is an invasion of victims’ privacy and puts them at risk.<sup>26</sup>

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<sup>26</sup> <http://www.state.gov/g/tip/rls/tiprpt/2010/142750.htm>



Another challenge to public awareness can be the media itself. Very often, reporters are “looking for a victim” to give the issue of human trafficking a “face.” This is extremely dangerous to the victim for not only can the trafficker use that information to find and harm the victim, but media exposure is a serious invasion of victim privacy.

The trafficking survivor’s privacy is paramount. An NGO or anyone working with a human trafficking survivor should never:

- Disclose a victim’s location to the media (in the hope of generating public support and interest)
- Give any identifying information to reporters; or
- Suggest that a human trafficking survivor could help the cause by speaking with the media when he or she is not ready and when it is not safe. That survivor could feel pressure to please those who are helping her.

Disclosure of victim identifying information not only endangers them; it can make it impossible for them to return to their home country. For instance, a news story about a woman who was a victim of sex trafficking in the U.S. that reaches her family in her home country can result in her being shunned by family and her community so she can never return. Trafficking survivors should have contact with the media only when it is safe to do so, when they are physically and emotionally able and when they have an attorney or other advocate to help them negotiate logistics and details of the interview.

There are many different public awareness strategies regarding human trafficking today in Florida, around the nation and across the globe. The overall goal for these strategies is to present information in a way that increases a person’s understanding of human trafficking so that he or she can act in ways that will help victims and hold traffickers accountable. Determining how sharing information can change behavior is a great challenge and it is

important to make sure that the time and other resources that go into public awareness strategies are well-spent and meet their goals.

### **Recommendations**

17. The Statewide Human Trafficking Task Force should request, and the Legislature should provide, funding to support statewide and local human trafficking public awareness campaigns. These campaigns should be tailored to identified needs and include funding to support evaluation for effectiveness. Such campaigns should be both local and statewide in nature.
18. Local human trafficking task forces and coalitions should connect with one another and share information about public awareness campaigns. Where appropriate, they should provide linkages and coordinate public awareness campaigns and messaging.
19. Florida should have a centralized place such as an electronic website where public awareness campaigns and awareness materials are posted and able to be shared. This should include links to outreach efforts such as those being undertaken by the Youth and Family Services Network.
20. The Florida Legislature should adopt laws similar to those in Texas and in Washington State that direct how public information on human trafficking should be posted in establishments that sell alcohol as well as at highway rest areas and other workplaces.
21. NGOs and others who work with victims of trafficking should hold victim privacy paramount and never disclose victim location, identifying information or any other information that infringes on the victim's privacy. Victims should participate in media campaigns or public awareness efforts only when it is safe to do so, when the victim is able and when the victim has the assistance of a trained advocate or attorney.

**GOAL 4: To enact effective laws to protect and support victims and punish traffickers.**

The focus of this goal is on the enactment and enforcement of effective anti-trafficking laws. This section describes current laws, detail how they are being implemented and makes recommendations for improvements.

### **Florida Anti-Trafficking Laws**

#### **I. Overview**

State laws constitute a vital part of U.S. efforts to eliminate modern slavery. The introduction of Florida law on human trafficking now allows—and mandates—that Florida courts and Florida law enforcement agencies share the federal mission of investigating and prosecuting human trafficking cases. In an era of limited fiscal resources, such collaborative efforts are absolutely necessary. State resources for victim care are also greatly needed given the proliferation of trafficking cases in recent years in Florida.

Florida’s anti-trafficking laws have been “a work in progress” for much of the past decade. The state enacted its first laws criminalizing trafficking in 2004, in the wake of landmark federal legislation—the Trafficking Victim Protection Act—that had been introduced in 2000. In the past six years Florida has done much to conform its state criminal statutes to federal ones dealing with human trafficking, as well as to respond to trafficking issues specific to Florida. (See Appendix B for a listing of all relevant Florida laws regarding human trafficking.)

The Florida Legislature criminalized human trafficking for the first time in 2004, establishing a new section in the Florida Criminal Code, §787.06, Florida Statutes, that defined and described human trafficking offenses. This included a second degree felony for labor trafficking at §787.05, Florida Statutes, a first degree felony for the sex trafficking of minors at §796.035, Florida Statutes, and a second degree felony for the sex trafficking of adults at §796.045, Florida Statutes. It also designated sex trafficking as a Racketeering Influenced and Corrupt Organizations (RICO) offense that would allow for enhanced criminal penalties for Florida offenders at §895.02, Florida Statutes.

The Legislature revisited the state’s criminal statutes on human trafficking in 2006 in an effort to add additional “teeth” to Florida law and to close a number of gaps that had become evident. In §787.06, Florida Statutes Florida law improved the definition of forced labor to include inducement through fraud or coercion and introduced a specific legal definition for debt bondage. This section clarified that anyone who knowingly benefits financially or who receives anything of value from human trafficking can be prosecuted. It likewise established that all human trafficking offenses, and not solely sex trafficking offenses, can be prosecuted as RICO crimes in Florida at §895.02, Florida Statutes.

Statutes addressing training and victim care were also introduced in 2006 legislation. The Legislature directed that as of January 1, 2007, all Florida law enforcement recruits are to undergo a basic skills course on human trafficking as part of their academy training at §787.06, Florida Statutes. It also directed the Criminal Justice Standards and Training Commission to create an advanced law enforcement training on human trafficking, and called upon each state attorney to develop standards for training prosecutors on the investigation and prosecution of human trafficking offenses. The Legislature finally called upon the state Supreme Court and the Florida Bar to prepare and implement training on human trafficking for judges and attorneys in this same section of Florida law.

The plight of Florida trafficking victims was also considered in the 2006 legislation. A civil cause of action was enacted for labor trafficking victims, allowing them to sue their traffickers for three times the actual financial damages that their trafficking had caused them to suffer at §772.104, Florida Statutes. A similar provision was introduced for victims of sex trafficking. Because prostitution is not legally recognized as a form of labor—there is no “prevailing wage” estimation done by the federal government assessing the value of prostitution transactions—the Legislature created a separate yardstick to govern financial damages for forced prostitution. It determined that damages are to be awarded to victims of sex trafficking equal to three times their pimps’ profits from the illegal prostitution in which they have induced victims to

participate. In addition, the Legislature called upon Florida's Department of Children and Families to ensure that victims of human trafficking can access social services and benefits to alleviate their plight at §787.06, Florida Statutes.

The most recent—and most significant—change in Florida law on human trafficking occurred in 2008. Responding to the fact that up until then Florida law had defined child sex trafficking differently than did federal law, the Legislature changed Florida's definition of child sex trafficking by removing the requirement that a child establish that force, fraud, or coercion had been used to induce them to participate in prostitution, pornography, or stripping at §796.035, Florida Statutes. (See Appendix B for further detail on this enactment, including both the enrolled as passed by the Legislature.) This change in Florida law was vitally important for several reasons. It first of all brought Florida criminal statutes into conformity with the federal Trafficking Victim Protection Act by clarifying that minors do not face the normal evidentiary burden of adult trafficking victims to demonstrate that force, fraud, or coercion has been employed against them. In so doing, Florida explicitly recognized that in any instance in which prostitution by a minor is facilitated by a third party, that child shall be considered to be a victim of sex trafficking. The law enforcement policy implications of this 2008 change in Florida law are still the object of considerable discussion.

## **II. Analysis and Recommendations**

Florida law currently mirrors federal law very closely on human trafficking. It defines human trafficking offenses in a manner virtually identical to federal law, and has roughly commensurate criminal penalties. There remain areas of law and policy however that still need to be addressed by Florida lawmakers:

22. The 2006 legislative mandate that each State Attorney develop training standards for their prosecutors regarding human trafficking has yet to be realized. Likewise awaiting implementation is the legislative mandate directing the Florida Supreme Court and the Florida Bar to develop trainings on human trafficking for Florida judges and attorneys. This latter directive is especially important for Florida judges who are already being

called upon to adjudicate criminal prosecutions of alleged trafficking brought under Florida statutes, and for juvenile law judges who may encounter victims of domestic minor sex trafficking in their courtrooms. All of these key groups should develop and implement needed training on human trafficking.

23. Florida has statutes in place that criminalize labor law offenses perpetrated against migrant farm workers, as well as statutes that regulate employee leasing companies. What remains largely unlicensed are temporary employment agencies, a number of which are engaging in the routine exploitation of immigrant workers—often in Florida’s hotel, landscaping, and resort industries. Laws regulating such companies should be introduced to fill this gap.
24. Florida law on sex trafficking is at last being used by prosecutors in Florida. Designated as a second degree felony, sex trafficking can result in a penalty of up to 15 years. A problem has emerged however, with the fact that convictions under this statute are governed by Level 4 Sentencing Guidelines, which even allow for non-prison sanctions. The Florida sentencing guidelines for sex trafficking convictions should be much higher in order to reflect the gravity of the crime.
25. While Florida law on domestic minor sex trafficking is in a separate statute Chapter 796 instead of the statute describing and defining human trafficking Chapter 787, it nonetheless conforms with federal law in establishing that minors whose participation in prostitution is facilitated by a third party are *per se* victims of sex trafficking. Florida law appropriately does not require actual knowledge on the part of a third party that one whom they have caused to engage in prostitution is a minor; like statutory rape provisions domestic minor sex trafficking is now a strict liability offense in Florida.
26. Nevertheless, the 2008 change in the law identifying minors engaged in facilitated prostitution as sex trafficking victims *per se* (eliminating the requirement that such minors demonstrate that force, fraud, or coercion had been used against them) has yet to be consistently implemented in statewide practice. While arrests of minors on prostitution charges appear to be declining, children in some instances are still arrested and detained on criminal grounds throughout the state. Florida policy makers, including

those in law enforcement, need to formulate statewide practices that reflect this 2008 change in Florida law. Florida must continue to seek alternatives to traditional incarceration for children exploited in the commercial sex industry.

27. Florida law should also be changed to establish an advocate privilege in Florida courts of law. Communications between anti-trafficking advocates and the human trafficking victims whom they serve are currently not protected communications and are therefore vulnerable to discovery in court proceedings. This has a significant chilling effect on communications between these advocates and the human trafficking survivors to whom they provide such critical services. The gap should be remedied by law. The Legislature should create such a privilege, and model it after the similar privilege it has created for domestic violence and sexual violence advocates in Florida. Human trafficking advocates who serve trafficking victims should be given the opportunity to undergo a 40 hour training course similar to the ones designed to accredit domestic violence and sexual violence advocates. The Florida Office of the Attorney General would be an optimal agency to maintain and administer such an accreditation program. Advocates who successfully complete this training should then be covered by a communications privilege.
28. Pursuant to practices in other states, Florida legislators should enact a requirement that wherever liquor is sold, it be mandatory that information about human trafficking—including information about the national human trafficking hotline number, in several languages—be posted. This has proved to be a critical strategy for reaching out to victims in other states, and Florida should likewise utilize this practice. Florida law should also look to promoting information about human trafficking in other places where workers rights are publicized such as in materials disseminated by the Department of Business and Professional Regulation and the Agency for Workforce Innovation.
29. This *Strategic Plan* recommends a number of actions to be taken by agencies of the State of Florida related to human trafficking. If these agencies do not have the statutory

authority to act on implementation of any of these recommendations, the Florida Legislature should provide needed statutory and/or administrative authority.

30. Finally, the Florida Legislature should look to other sources than the general revenue pool for funding improved victim care and law enforcement efforts to combat trafficking. In an era of economic austerity, other funding sources than taxpayer dollars should be explored. Specifically, the legislature should consider fining labor contractors and other employers who accrue egregious records of human trafficking violations or labor law offenses to supplement traditional state funding sources. Such funds could be used for victim care, public awareness campaigns, or underwriting anti-trafficking efforts on the part of Florida law enforcement agencies.



**GOAL 5: To have strong and effective local and state programs, law enforcement, social services, justice system and other community responses that protect and support victims and punish traffickers, especially among those communities that are disproportionately affected by human trafficking.**

This goal is important to addressing the issue of how to develop and sustain effective programs that will assist victims of trafficking, particularly those who are in communities that are most affected. The section is divided into three parts. The focus of the first is on the need for government, particularly at the state level, to address human trafficking. The second section describes the issue of effective and safe services for victims of trafficking and how Florida can more effectively assist survivors. The third section recaps some information regarding law enforcement responses and offers specific recommendations for action.

**Introduction and Recommendations for  
Florida State, County and City Governments**

Government at all levels is essential to addressing and ending human trafficking in Florida. The potential roles that Florida's cities, county and state government can play in ending human trafficking are great: from overall public awareness, to training its employees and contractors on human trafficking so that they can recognize if they encounter it while carrying out their duties, to arresting and prosecuting traffickers and assisting trafficking victims. Florida has 67 counties and over 400 cities. The State of Florida has 35 agencies (plus the Courts and the Legislature). Not all of these entities of government are specifically reported on here. In fact, only fifteen state entities have brief sections in this *Plan* that describe their function and offer specific recommendations for action that are tailored to their operation within state government. This is not to imply that local governments or those state entities that are not specifically described in this *Plan* do not have any role to play, because they do.

The intent here is to feature those agencies whose role in identifying and responding to human trafficking is most immediately significant. For instance, the Department of Corrections (DC)

does not have its own section in this *Plan*. However, this agency is important as it has jurisdiction over some 217,000 offenders including just over 102,000 inmates and the remainder who are under community supervision. Many of these individuals could be traffickers or could become traffickers upon their release. The Department of Correction also provides notification to victims upon offenders' release – another area where human trafficking could be at issue and where DC staff should be trained to be able to identify human trafficking and respond appropriately. Additionally, this *Plan* also does not detail actions for the State University System (SUS) *per se*. The section on the Department of Education, which includes Florida's community colleges, should be seen as a guide to what the SUS should do to address awareness and prevention of human trafficking as well as how it should intervene to protect its staff and student populations from traffickers.

There are also a host of other state governmental entities, committees, commissions and other organizations which, except for the Florida Commission on Human Relations, also are not described in this *Plan*. For completeness, therefore, the recommendations in this Introduction are for *all* agencies and organizations of state government, whether or not they are the focus of an individual section in this *Plan*.

Local city and county governments are important to human trafficking awareness and response. Local law enforcement, in particular, has been at the forefront of Florida's responses to human trafficking. In addition, many agencies of local government, like their counterparts at the state level, also can benefit by learning about human trafficking, understanding its scope in Florida and taking action to improve their responses to actual or suspected local trafficking activity.

Many local governmental employees have already assisted in human trafficking investigations, but much more can be done. For instance, city code inspectors and county tax collector's offices all have duties that require them to enter and inspect a variety of residences, businesses, construction sites, agricultural operations and other places where they could encounter human trafficking. All of these governmental employees, therefore, are the "eyes

and ears” who should learn about human trafficking so that if they suspect it might be present, they will know who to contact for assistance. They should also be familiar with the benefits available to assist victims of trafficking, know about local anti-trafficking task forces and coalitions and be able to access resources, such as state and national websites and national anti-trafficking help lines.

These recommendations are made at a time of economic stress, when government’s budgets are stressed and being reduced. All agencies of government, as well as those in non-profit and for profit businesses and organizations are also stressed and are forced to do more with less. Many of this *Plan’s* recommendations anticipate that current resources can be leveraged to include training and awareness on human trafficking. However, there is also a very strong and justified need for there to be additional resources directed to assisting victims, tailoring training to personnel and for other activities.

Finally, it should be noted that the recommendations contained in this *Plan* are based on a review of what state agencies could and should do to address human trafficking; they are not based on a legal analysis of an agency’s statutory or rule authority. If recommendations made in this *Plan* cannot be accomplished within an agency’s current statutory authority, it is recommended that the Legislature amend the relevant law to authorize the recommended activity.

### **All Governmental Agency Recommendations**

31. Each agency should have at least one identified person who is the point of contact on matters related to human trafficking. That person should be trained and understand basic laws and the dynamics of human trafficking, know about local, state and national resources and be able to assist and, when necessary, refer agency personnel and the public for assistance.
32. Each agency should train its staff and contractors on the dynamics of human trafficking and resources, at the most basic level for most all employees, and at advanced levels for

those more likely to encounter human trafficking. Specifically, each agency should evaluate whether personnel and contractors should receive more extensive training on human trafficking and if so, tailor those training efforts to the job duties and needs of those employees or contractors.

33. Each agency should be willing to participate in regular conference calls (quarterly or semi-annually) and receive periodic information concerning human trafficking in Florida through list serves or other convenient electronic means. The main purpose of both the conference calls and information sharing is to keep agencies updated and to help Florida to form and maintain a network of professionals who can assist one another, share training materials and do whatever tasks are needed to offer support and technical assistance.
34. Agencies should post and set out information about human trafficking in conspicuous places in governmental offices such as on public bulletin boards, break and food service areas, and restrooms. (Free public information posters, handouts and other materials in multiple languages are available at <http://www.acf.hhs.gov/trafficking/index.html>.)
35. Agencies regularly should include information about human trafficking in agency communications efforts such as internal and external e-newsletters, bulletins and any other methods used by that agency. Human trafficking features should include how to identify human trafficking, resources, local efforts and best practices.
36. Personnel and agencies as a whole that are members of existing multi-disciplinary efforts or collaborations should examine whether human trafficking is an appropriate matter to include in work of that body and if it is, raise the issue so that it can be addressed. For instance, there are several state agencies that are members of Florida's Cabinet on Children and Youth and who participate in local "Children's Cabinets." Each of these coordinated efforts is an appropriate place for child trafficking to be on the agenda.
37. Each agency should consider including the topic of human trafficking in agency sponsored or agency- funded conferences, webinars, training conference calls or other

events where staff and those who contract with that agency receive training and information relevant to carrying out their duties.

38. Any agency staff that does outreach to the public or inspects work places should be properly trained on human trafficking and, where appropriate, incorporate human trafficking awareness information into their presentations and inspections.
39. Each agency should provide a link to the Department of Children and Families' website on human trafficking. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>
40. Agencies should have all local and national human trafficking contact information available for their employees statewide and agency staff should build linkages with these local efforts. Agency personnel who are already active on federal task forces should explore how to include human trafficking in current partnerships.

## Department of Agriculture and Consumer Services

### **Background and Observations**

The Department of Agriculture and Consumer Services (DOACS) has a significant role to play in the identification and response to human trafficking in Florida. The Department is primarily a regulatory agency and it employs approximately 3200 employees. It is organized by Divisions and specialty groups of operation referred to as Offices. Many Department inspectors have unique access to farms, farm workers and a wide range of other workplaces and so could have an impact in the detection and investigation of human trafficking.

The Division of Agricultural Environmental Services administers various state and federal regulatory programs concerning environmental and consumer protection issues. These include state mosquito control program coordination; agricultural pesticide registration, testing and regulation; pest control regulation; and feed, seed and fertilizer production inspection and testing. The Division has field inspectors who perform a variety of regulatory functions. Similarly, the Bureau of Compliance Monitoring employs Agricultural Inspectors who routinely work in the food production areas around the state. (A number of these inspectors recently received specific human trafficking training at a regional training event.)

The Division of Animal Industry is responsible for enforcing animal health regulations in Florida and protecting the state from animal pests and diseases, which could have major economic and public health consequences. The Division includes the Bureau of Diagnostic Laboratories and the Bureau of Animal Disease Control, and carries out active animal disease prevention, surveillance, and control programs. District veterinarians and animal health inspectors throughout the State work with producers, animal owners, and private veterinarians. Animal Industry Inspectors work various animal auction/sales facilities throughout the state and have the potential to encounter individuals from the migrant labor communities where human trafficking may be present.

The Division of Dairy insures that dairy products are wholesome, produced under sanitary conditions, and correctly labeled. The Division regulates the production, transporting, processing, distribution, and labeling of milk and milk products. The Division's Bureau of Dairy Inspection enforces Florida's Milk and Milk Products Law, the Frozen Desserts Law, and rules and regulations covering both categories. This Bureau's responsibilities begin with milk production on the dairy farm and end at the retail store. The Dairy Division's 12 field inspectors are stationed from Miami to Pensacola. They make regular visits to dairy farms and processing plants to inspect, consult, and collect samples.

The Division of Food Safety is responsible regulatory enforcement related to safe, wholesome and properly represented food supply through permitting and inspection of food establishments, inspection of food products, and performance of specialized laboratory analyses on a variety of food products sold or produced. The Division monitors food from farm gate through processing and distribution to the retail point of purchase. This includes the regulation of mobile vendors. Food Safety Inspectors also have the potential to encounter people who are vulnerable to human trafficking.

The Division of Fruit and Vegetables administers rules that regulate standards, grades and marketing orders for various fruit and vegetable commodities that include citrus, limes, avocados, peanuts and tomatoes. The Division may employ up to 300 inspectors annually, many in a seasonal capacity, to complete its mission. This includes the hiring of new employees and the rehiring of experienced personnel. These inspectors work in agriculture production areas, processing and packing areas, as well as points of sale and distribution. Like many other inspectors within DOACS, these agriculture inspectors have a great potential to encounter victims of human trafficking.

The Division of Plant Industry works to detect, intercept and control plant and honey bee pests that threaten Florida's native and commercially grown plants and agricultural resources. The Division's Bureau of Plant and Apiary Inspection is responsible for protecting Florida's

agricultural industry and the public from the introduction and spread of serious plant and apiary pests. The bureau, composed of plant inspection and apiary inspection sections, enforces Florida statutes and departmental rules pertaining to the movement of plants, plant products, honey bees and beekeeping equipment. The bureau employs approximately 137 inspectors in offices throughout Florida and their work takes them into production areas where victims of human trafficking may be present.

The Department's Office of Agricultural Law Enforcement is an accredited state law enforcement agency responsible for conducting inspections of highway shipments of agricultural, horticultural, aquacultural and livestock commodities, as well as investigations of consumer fraud, enforcement of criminal and civil violations occurring within forests or any crimes involving agriculture or related offenses. Within that office, the Bureau of Uniform Services is the "first line of defense" at Florida's borders in protecting agriculture. The Bureau operates 23 agricultural interdiction stations located on every paved highway, and crossing the natural boundary of the Suwannee and St. Mary's rivers. Agricultural vehicle inspections are conducted at each location around the clock, 365 days a year, by 246 law enforcement personnel. These officers support and supplement all of the Department's regulatory and law enforcement programs by conducting inspections of highway shipments of agricultural, horticultural, aquacultural and livestock commodities. Officers at these inspection stations have a great potential to intercept vehicles used in transporting victims of human trafficking.

The Bureau of Investigative Services provides regulatory and law enforcement support to all divisions of the Department and has seven regions of operation mirroring the FDLE and Regional Domestic Security Task Force (RDSTF) regions. The Bureau has a staff of 50 sworn personnel with offices from Miami to Pensacola. It has three employees who have received formal Immigration Customs Enforcement (ICE) training through the U.S. Department of Homeland Security (DHS). Law Enforcement personnel receive awareness training, bulletins and educational updates on human trafficking. One officer has received training on human



trafficking and to date, no one has taken the 40 hour advanced FDLE investigator training on human trafficking.

DOACS also conducts a great deal of public outreach with farm workers and their families, in schools and in other places in the community. Training programs on a range of relevant topics take place within the Department on a regular basis. These opportunities range from new employee orientation to supervisor training. Also, each division within DOACS has some form of job related training. These training opportunities provide ready-made venues for additional information about human trafficking.

### **Analysis of Needs and Gaps**

Since the Department of Agriculture has a strong regulatory program throughout the state that reaches from the farm to the retail sale of products, its inspectors regularly deal with the migrant worker population in Florida. In their work, some inspectors have suspected and possibly encountered victims of human trafficking in farm labor camps. Because of the diversity of the Department's programs, inspectors have the potential to provide valuable insight to law enforcement regarding labor conditions, including human trafficking.

There is a clear need to expand awareness and possibly implement policy changes in the area of human trafficking within the Department. DOACS should to support its staff and officers participation in human trafficking training programs like those sponsored by the Attorney General and other programs promoted by local anti-trafficking task forces and coalitions. The many different functions of the Department's work in the agriculture and food inspection area should be closely examined to see if and how training programs might be developed to reflect how the employees of each of the Offices within DOACS might encounter human trafficking and when they do, how they should best respond. This is particularly important for those who work at the state's inspection stations because, as one Department employee noted, "the U.S. highway system is the trafficker's best friend."

Human trafficking is not specifically mentioned in agency protocols and practices related to the reporting of criminal activity. The responses of Department officers, inspectors and other staff can vary depending on the situation presented. For instance, drug interdiction would require a call to the U.S. Drug Enforcement Administration. The Department should consider amending current protocols and directives to specifically mention human trafficking responses, where appropriate.

The Department also has a strong law enforcement component engaged in border security and that provides law enforcement support to Division programs. This is another place where enhanced attention to human trafficking detection and response should be expanded. Personnel who routinely work with other state, local and federal law enforcement authorities in their respective regions, particularly those who are trained and cross-sworn with federal immigration law enforcement, should receive updated training on human trafficking. It would be beneficial for this training to occur in partnership with ICE on human trafficking due to its significant responsibility regarding human trafficking.

DOACS has not assigned anyone specifically to a local human trafficking task force or coalition and it does have a designee on the Statewide Human Trafficking Task Force. DOACS interacts with local representatives from regulatory agencies, task forces and other law enforcement agencies whose work may overlap with human trafficking cases. For instance, officers participate in several different task forces such as regional and statewide components of the Domestic Security Task Force, the Child Abduction Response Team, and several Economic Crimes Task Forces. DOACS officers also work with the various divisions within the Department as well as the U.S. Department of Agriculture, the DEA, and the Food and Drug Administration. Other criminal matters such as those handled by the Department's representatives on arson and cargo theft task forces could also involve human trafficking.

Human trafficking expands the area of possible collaboration and coordination among agriculture officials and federal, state and local officials. DOACS officials, inspectors and other

personnel should become familiar with state, regional and local human trafficking task forces and coalitions and those law enforcement officers who are point persons on human trafficking. They should also have information on anti-trafficking victim service providers on the national, state, and local levels. A Guide to anti-trafficking efforts, contact persons and important linkages should be available in each region so that all staff and the public in that local area can know whom they can contact.

DOACS has a vast network of public awareness activity and apparatus from specific topics like pesticide safety to Chinese drywall dangers to the H1N1 flu virus. Since Florida is third in the nation regarding the prevalence of human trafficking, it would be helpful for the DOACS website to feature human trafficking and to provide links and other resource information specific to human trafficking projects and resources in Florida.

### **Recommendations**

41. DOACS should create training and outreach opportunities for all DOACS staff that may come in contact with victims to learn about human trafficking.
42. The Department should provide local, regional and national human trafficking contact information for staff throughout the state; encourage staff to link with these local efforts.
43. Agency communications staff should explore the ways in which human trafficking resources and help lines could be added to current public outreach information on food safety, pesticide safety, and other matters within the Department's jurisdiction.
44. The Department should permanently feature human trafficking (how to identify human trafficking, resources, local efforts) in agency communications efforts, including the website.
45. Personnel throughout the state should actively engage with and/or inform local human trafficking task forces and law enforcement colleagues about how DOACS staff can be a resource to investigate human trafficking and assist victims.

46. DOACS staff should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
47. The DOACS website should include information on human trafficking and links to other key anti-trafficking information. At a minimum, it should provide a link to the Department of Children and Families' human trafficking website. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## The Office of the Attorney General and Florida's Legal Community

### Background and Observations

#### The Office of the Attorney General

The Office of the Attorney General (OAG) is central, in many ways, to Florida's response to human trafficking. Within the Attorney General's Office there are a number of different units and programs that have authority to include human trafficking in their work. Moreover, the Attorney General occupies a special place of authority, and is often called the state's "top lawyer," thus giving that person the ability to encourage and inspire attorneys, law enforcement and the public to develop expertise on certain issues of law and to assist those in need of legal representation.

The OAG established a vital precedent by filing a 2008 lawsuit against a Miami employment service and two Boca Raton business owners, alleging employment and housing violations and fraud. The complaint filed in this action describes the Filipino workers who were defrauded and "indentured" and states that the defendants confiscated workers' passports and return tickets home.<sup>1</sup> This lawsuit was filed by the Office's Economic Crimes Unit pursuant to its enforcement authority over multi-circuit violations of the Florida Deceptive and Unfair Trade Practices Act and was important to the fight against human trafficking. The OAG also assisted victims in this case by certifying their status so that they can receive federal benefits as victims of trafficking.

The OAG's Division of Victim Services and Criminal Justice Programs have featured human trafficking seminars for victim advocates and others. That Division's Bureau of Criminal Justice Programs offers many different statewide public education and training programs for law enforcement personnel, school resource officers, victim advocates and others. Human trafficking is included in "Victim Services Practitioner Designation Training." Training topics range from crime prevention to victim advocacy, all of which can be relevant to human

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[http://myfloridalegal.com/\\_\\_852562220065EE67.nsf/0/B9F1E066A1A05E85852573EF0069ECCC?Open&Highlight=0,human,trafficking](http://myfloridalegal.com/__852562220065EE67.nsf/0/B9F1E066A1A05E85852573EF0069ECCC?Open&Highlight=0,human,trafficking)

trafficking. Relatedly, the Florida Crime Prevention Training Institute (FCPTI) within the OAG also offers crime prevention training to the law enforcement community and others; this is another area where human trafficking could be included.

The Bureau of Victim Compensation has authority to provide compensation to victims of trafficking, regardless of immigration status. Compensation to trafficked persons is rare relative to other crimes due to the requirements of the program and the limited types of injuries for which compensation is available under law. As is true nationally, victims of trafficking rarely come forward due to their fear of the traffickers and their lack of understanding of their rights and the help that is available to them under law.

The OAG also houses the Office of Civil Rights which enforces civil rights laws through litigation, education, outreach and legislative proposals. Florida's Civil Rights Act of 1992 provides:

The general purposes of the Florida Civil Rights Act of 1992 are to secure for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status and thereby to protect their interest in personal dignity, to make available to the state their full productive capacities, to secure the state against domestic strife and unrest, to preserve the public safety, health, and general welfare, and to promote the interests, rights, and privileges of individuals within the state.<sup>2</sup>

Florida law does not provide specific legal authority for this Office to pursue cases of "human trafficking." However, the Attorney General can pursue civil rights actions<sup>3</sup> when someone is discriminated against on the bases listed above. This specific authority requires reasonable cause to believe a civil rights violation covered by the Florida Civil Rights Act of 1992 is one of a pattern or practice of discrimination, or is an issue of great public interest.

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<sup>2</sup> Section.760.01, Florida Statutes

<sup>3</sup> Section 760.021, Florida Statutes

The Attorney General is recognized in Section 760.51, Florida Statutes with the authority to seek civil or administrative relief including civil penalties of up to \$10,000 for each violation, against a person who uses threats, intimidation, or coercion against another person in the exercise or enjoyment of their rights as secured by the state constitution or laws of this state. Federally, human trafficking cases have been successfully prosecuted to protect individuals who are discriminated against on the basis of national origin.<sup>4</sup> Florida law parallels these federal civil rights protections and they are enforceable regardless of the victim's immigration status. To date, civil rights enforcement related to human trafficking has not been addressed by the Attorney General's Office of Civil Rights.

The Child Predator CyberCrime Unit (the Unit) is another office within the OAG which deals with the issue of human trafficking as traffickers often use on-line services to sell and advertise both child and adult victims of trafficking, primarily in the area of sex trafficking. To date, the Unit has participated in several undercover internet operations which overlap with issues of human trafficking such as those involving child prostitution rings and internet-based advertising of sexual services or prostitution involving sexual exploitation of children. The Unit includes law enforcement investigators, prosecutors and victim advocates whose primary mission is to target child predators, child pornographers and individuals using the Internet to exploit children sexually. Coordination between the Unit and human trafficking specialists is critical as under Florida and federal law, any child who is induced to perform a commercial sex act is, by definition, a victim of trafficking. Many of the agencies the Unit works with share expertise in this area and these groups often collaborate on cases and share resources. Some of these agencies include federal and state prosecutors, FBI, ICE, the Florida Department of Law Enforcement (FDLE), the National Center for Missing and Exploited Children (NCMEC), other State Attorneys General, and local Florida law enforcement agencies.

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<sup>4</sup> "...a federal judge has ordered John Pickle Company, Inc. (JPC) and its president, John Pickle, to pay \$1.24 million to 52 male victims of national origin discrimination and "human trafficking" who were recruited from India as skilled laborers and then subjected to widespread abuse, intimidation and exploitation." See <http://www.eeoc.gov/eeoc/newsroom/release/5-26-06.cfm>

The website for the OAG lists resources and links to human trafficking resources in Florida and nationally.<sup>5</sup> These resources are available when one searches for “human trafficking” on the OAG website. In addition, the OAG has issued regular press statements discussing human trafficking and promoting public awareness of it.

The Office of Statewide Prosecutor is appointed by the Attorney General and the Office is housed within the OAG. All cases handled by the Statewide prosecutor must have occurred in more than one judicial circuit or be part of a conspiracy affecting more than one judicial circuit. Many of the crimes committed by traffickers cross county and judicial circuit boundaries and fit squarely within the mandate of the Office of the Statewide Prosecutor. This mandate includes a focus on kidnapping, theft, murder, prostitution, perjury, robbery, narcotics violations, crimes involving fraud and deceit, computer crimes, racketeering, and attempts, solicitations, or conspiracies to commit these offenses. Further, the Statewide Prosecutor’s efforts highlight violent offenses, including narcotics trafficking, especially when perpetrated by organized groups. The Office of the Statewide Prosecutor therefore constitutes a vital Florida resource in the prosecution of trafficking cases that continue to erupt throughout Florida.

Sworn law enforcement officers receive basic training on human trafficking, so those who work with the OAG should have received training. Many of the victim advocates within the OAG have received training and coordinate at the local level with anti-trafficking task forces and coalitions. In one area of the state, the OAG’s regional victim advocate chairs the local human trafficking coalition.

Some within the OAG have received staff training regarding human trafficking and the OAG has sponsored several workshops and advocate training programs. To date, these training efforts have not been geared to attorneys. Sworn law enforcement officers and investigators within

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<sup>5</sup> See [http://myfloridalegal.com/\\_85256CC5006DFCC3.nsf/0/1329E23708A799C08525726B005D1807?Open&Highlight=0,human,trafficking](http://myfloridalegal.com/_85256CC5006DFCC3.nsf/0/1329E23708A799C08525726B005D1807?Open&Highlight=0,human,trafficking)



the OAG have access to the 40-hour Florida Department of Law Enforcement human trafficking training curriculum for investigators.

### Florida's Legal Community

Florida's lawyers are vitally important to assisting victims of trafficking. Trafficked persons need representation in areas such as immigration law, family law, criminal matters, public benefits advocacy, labor rights (wage and hour and related laws) employment law, personal injury, and many other arenas. Many attorneys who are not informed about human trafficking, may not see how their specialty areas can be applied to assist victims of trafficking. To date, only the Committee on the Legal Needs of Children of the Florida Bar, has sponsored a Continuing Legal Education (CLE) program on human trafficking. Other statewide bar associations such as the Florida Association of Women Lawyers (FAWL) have featured human trafficking in their publications and several local bar associations, including the Jacksonville Bar Association and the Tallahassee Women's Lawyers have featured human trafficking programs.

### Analysis of Needs and Gaps

The need for the OAG to maintain and expand current training efforts is clear. The work done on human trafficking over the past several years provides a good foundation for this effort to continue. The Attorney General's Office can also expand its efforts to prosecute human trafficking. As the above case brought under the "Unfair and Deceptive Trade Practices Act" and involving Filipino workers in Boca Raton illustrates, there are many aspects of human trafficking that the OAG can prosecute when it creatively examines how its current statutory authority can include trafficking activities.

Human trafficking regularly involves many laws that the OAG is charged with enforcing. The crime of human trafficking is often the umbrella under which many other crimes are committed such as money laundering, drug trafficking, extortion, kidnapping, sexual battery, conspiracy and crimes under the Racketeer Influenced and Corrupt Organizations (RICO) Act. Traffickers also commit a range of civil offenses (such as civil rights violations; labor, health and safety

violations; torts; civil RICO and breaches of contract) all of which are actionable under Florida law. In addition, the Trafficking Victims Protection Reauthorization Act of 2003 (TVPRA) allows for a civil right of action and cases under it can be brought in federal or state court. It is not clear that the Attorney General could directly bring a cause of action under the TVPRA. However, the issue can be one where he or she could use the “bully pulpit” to encourage other attorneys to take up the cause on behalf of trafficked persons.

In terms of further prosecution of cases, the Office of Statewide Prosecutor and its multi-jurisdictional reach lends itself readily to the investigation and prosecution of human trafficking cases. In 2007, the Attorney General noted:

I believe an important tool in combating trafficking was the passage of a law in 2004 that makes it a felony in Florida to engage in sexual trafficking of minors and categorizes human trafficking as a form of racketeering. This racketeering law allows our Office of Statewide Prosecution to actively pursue cases involving human traffickers. I know that our Statewide Prosecutor feels very strongly about the responsibility to protect those within Florida’s borders and I am confident our prosecutors will rise to this challenge.<sup>6</sup>

A number of criminal incidents in Florida, including suspected brothel networks, have recently been investigated as potential human trafficking crimes by the Office of Statewide Prosecutor. This will be an important trend to expand upon, and the Office of the Statewide Prosecutor remains a vital Florida weapon for combating trafficking in state courts.

The absence of specific legislative authority for the OAG’s Office of Civil Rights to pursue human trafficking cases is not necessarily a bar to pursuing a human trafficking case on the grounds of civil rights violations; however, the Office has suggested that specific authority would help. Such a statute should not require the lengthy procedural steps that are required under current

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<sup>6</sup> See <http://www.myfloridalegal.com/NewsBrie.nsf/OnlineBrief/01A7EFE18B8E6A26852572DF006CF3BC>

law for victims of housing discrimination in order for the Attorney General to commence a private right of action on that person's behalf. Human trafficking has not been the subject of a civil rights action brought by this Office.

The need for additional resources to pursue human trafficking cases is clear. At the same time, it is possible for human trafficking to be added as an additional count to cases already being investigated and prosecuted where human trafficking might also be present. Increased resources, training and awareness would help attorneys, investigators and OAG staff to detect human trafficking and other illegal activity.

The OAG should continue and expand its efforts to connect with those in their community who work on human trafficking, particularly those working on the Child Predator CyberCrime Unit. This includes knowing about local anti-trafficking task forces and community coalitions and being familiar with federal and state law enforcement officers who specialize in human trafficking cases. The OAG also should continue to publicize and provide updates – both to professionals and the public at large – regarding the resources available to assist victims of trafficking in the local and national arenas.

There is a need for the Attorney General to use the “bully pulpit” to expand public awareness efforts so that Floridians can better understand human trafficking and report it to law enforcement. There is also a need for the Attorney General to encourage attorneys, and the Florida Bar, to do more to learn about human trafficking and to represent trafficked persons in both civil and criminal cases.

#### Florida's Legal Community

There are numerous sections of the Florida Bar including the Criminal Law, Equal Opportunities Law, Family Law, Health Law, International Law, Labor and Employment Law, Public Interest Law and other groups such as the Young Lawyers Division, and the committees on Legal Needs of Children and Law-Related Education who could, and should, include human trafficking in

their sponsored CLE programming and activities. Registered paralegals should also receive education on human trafficking if their work could bring them in contact with human trafficking causes of action.

The Florida Bar also has two important publications, the *Florida Bar News* and the *Florida Bar Journal*. In October, 1994 the *Florida Bar Journal* featured domestic violence on its cover and highlighted the topic with articles submitted by section and committee leaders and legal experts on the topic. The Bar should consider a similar issue and focus with human trafficking, as it too is a multi-disciplinary and multi-leveled topic where attorneys, judges and the staffs within these disciplines could all benefit from increased education and awareness.

Similarly, practice areas of local and other statewide legal bar associations should increase the attention to human trafficking and what attorneys should know.

### **Recommendations**

48. The OAG should continue its current efforts to educate staff and other professionals within the criminal justice system on human trafficking.
49. Current OAG website links and resources should continue and be regularly updated.
50. OAG staff throughout the state should continue working with local anti-trafficking task forces and coalitions and other experts in the field.
51. The Office should encourage each of its Divisions, where appropriate, to explore how and if human trafficking can be prosecuted within existing laws or how civil lawsuits can be filed to shut down organized Human Trafficking schemes.
52. The OAG should explore whether and if a new law should be enacted to give the OAG specific authority to investigate and prosecute human trafficking as a civil rights violation.
53. The Office of Civil Rights should expand its work to include the investigation and prosecution of civil rights violations of human trafficking victims.
54. The State should increase resources to the OAG as needed to fully incorporate and enforce Florida law against traffickers.

55. The Office of Statewide Prosecution should expand its work to include the investigation and prosecution of human trafficking.
56. The OAG should explore and assist in the development of Continuing Legal Education (CLE) programming on human trafficking for attorneys, in conjunction with the Florida Bar.
57. The Florida Bar as well as state and local Bar associations should continue and expand their current efforts and provide greater access to legal education through CLE programming and featured awareness articles in their publications.

## **Agency for Workforce Innovation**

### **Background and Observations**

Human trafficking is an issue that has direct relevance to Florida business and the state's workforce. The Agency for Workforce Innovation (AWI) and 24 Regional Workforce Boards are overseen by Workforce Florida Inc., a statewide workforce investment board that is led by representatives of business and government. Workforce Florida, Inc. is charged with policy-setting and oversight of Florida's workforce system as well as AWI and the Regional Workforce Boards. Florida's workforce system, through the state's 24 Regional Workforce Boards, provides services including job search, referral and placement assistance through direct services carried out by more than 90 One-Stop Centers located throughout Florida's 67 counties.

The Agency for Workforce Innovation (which contracts with Workforce Florida to provide fiscal and administrative services in support of state workforce policy) has two main functions related to Florida's workplaces, protections for workers and where human trafficking might be at issue: the Agricultural Services Program and the Alien Labor Certification Program. Additionally, the Disability Program Navigator may also be relevant as many victims of trafficking are vulnerable due to disabilities. AWI, at the State level, does not have direct responsibility for the "on the ground" functions related to jobs and workers. Rather, these functions are handled at the local level by the Regional Workforce Boards. Each Board tailors its work and has direct knowledge that is relevant to its locale and each operates independently of the others. The State can create and provide informational and training materials and make them available at the Regional Board level.

AWI oversees the State's Employment Service Complaint-Resolution System, in which a worker can file a formal complaint against an employer. In addition, AWI staffs a Florida Farmworker Helpline (800-633-3572) which provides the opportunity for workers to file a complaint against an employer who has abused their labor rights. The helpline is operated from 8am to 5pm and has an automated answering after hours capability.

Among the Regional Workforce Boards are nine “Migrant and Seasonal Farmworker Significant Offices.” As part of the Agricultural Services Program, these significant offices each has an outreach worker whose duties are to provide outreach services to farmworkers in their working, living and gathering areas. It is also their duty to report any apparent farm labor violations if the farmworker does not wish to file a formal complaint. These apparent violations get treated as complaints and undergo the Agency’s Complaint-Resolution System. This represents a vital “on the ground” presence on the part of AWI that allows it to discern human trafficking when and where it may be occurring in Florida’s agricultural sector.

AWI’s Alien Labor Certification (ALC) Program includes two Federal visa programs. The H-2B Temporary Non-agricultural Worker Visa process is limited to job order entry on the Employ Florida Marketplace Labor Exchange System for those employers who do not enter their own orders. H-2B Visas are requested for many non-professional occupations such as hotel and restaurant staff, landscape workers, and domestic workers in private homes. H-2A Temporary Alien Agricultural Worker Visas may be requested for all levels of agricultural workers including hand laborers, equipment operators, truck drivers, mechanics and supervisory personnel. H-2A applications are subjected to a more complex process that includes comprehensive review for compliance with Federal regulations and employer labor and wage practices, followed by employer correction of deficiencies. Other steps in the process include Job Order entry and monitoring, as well as pre-occupancy inspection of employer supplied housing by Agency staff in coordination with the Florida Department of Health. The task of inspecting housing is jointly shared by AWI and the Department of Health, with DOH having responsibility for inspection of approximately 90% of employer-supplied housing. AWI, however, exercises the important role of inspecting employer-owned or employer-operated housing for H-2A agricultural workers throughout the state. In this capacity, AWI conducts over 400 inspections annually, affording it regular access to the living quarters of many of Florida’s migrant workers. This access is important not only for discerning indications of trafficking, but also as a potential means of

communicating information about trafficking and worker rights to a vulnerable segment of Florida's farm worker population.

Program staff conduct wage and labor practices surveys and field checks. ALC staff also coordinates Agricultural Recruitment System (ARS) applications by employers who want to recruit workers from other states or Florida locals outside daily commuting distance, but do not want to import foreign workers. The ARS closely parallels the H-2A Program and includes many of the same requirements and worker protections. AWI also has an Office for Civil Rights whose mission it is to: update and monitor affirmative action plans, provide equal-opportunity and civil rights training, carry out nondiscrimination program monitoring, and conduct complaint resolution. Many successful human trafficking cases have included civil rights complaints, making this Office relevant to human trafficking.

There are statewide efforts where the Director or other leaders in the Agency could raise the issue of human trafficking in collaboration with others. One such effort is Florida's Children and Youth Cabinet. The vision of this Cabinet is that "All children in Florida grow up safe, healthy, educated and prepared to meet their full potential" and its mission is "To ensure that the public policy of Florida relating to children and youth promotes interdepartmental collaboration and program implementation in order for services designed for children and youth to be planned, managed and delivered in a holistic and integrated manner to improve the self-sufficiency, safety, economic stability, health and quality of life of all children and youth in Florida."<sup>7</sup> Children who are trafficked could be greatly helped by those on this Cabinet working together to raise the issue of human trafficking and coordinate their work to help them.

### **Analysis of Needs and Gaps**

Because of the high level of contact Florida's workforce system has with employers, it is well-positioned to be a detection point for human trafficking activities. How this can be carried out most efficiently and in ways that complement the work of each entity could be determined by

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<sup>7</sup> See [http://www.flgov.com/youth\\_cabinet](http://www.flgov.com/youth_cabinet).



Workforce Florida, Inc. and the Regional Workforce Boards. Each Regional Board should be familiar with local law enforcement and victim service providers should they encounter employers who are suspected of human trafficking. They should also be able to inform employers how to report human trafficking as well as how to inform and warn workers who may be vulnerable to human trafficking. Staff from each of these entities should also be aware of local anti-trafficking efforts and linkages. At the statewide level as well as at the regional level, staff and Regional Boards should raise the issue of human trafficking on any multi-disciplinary, coordinating efforts where human trafficking is relevant. For instance, AWI should raise the issue of human trafficking in statewide efforts such as Florida's Cabinet on Children and Youth so that trafficking of children and vulnerable adults can be effectively addressed in this already-established multidisciplinary venue.

The Agricultural Services and Alien Labor Certification programs offer great potential for assisting in anti-trafficking efforts. It is very important for staff of these programs to be fully informed about human trafficking issues and resources, just as it is for many of the staff at the local Workforce Boards.

Human trafficking currently is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present. Current protocols or directives that detail responses to other illegal activity could include specific mention of human trafficking and prescribe agency responses. AWI's website is replete with a great deal of information regarding jobs and work in Florida. Information on human trafficking and related resources is currently absent and would be a helpful addition for both workers and for those who want to assist a victim of trafficking.

The Florida Farmworker Helpline rarely receives calls regarding worker exploitation or human trafficking. Further exploration is warranted to see if this could be a useful resource. The presence of the Helpline could be one way that a worker could alert authorities regarding labor exploitation (including human trafficking) and training and awareness regarding human

trafficking and could provide the Helpline with expertise to make the appropriate referrals to law enforcement or other authorities for investigation.

### **Recommendations**<sup>8</sup>

58. AWI should create training opportunities for staff to learn about human trafficking and to communicate their valuable experiences with one another. Such training is especially critical for the outreach workers who regularly visit and monitor fields and labor camps throughout the state
59. AWI should provide local and national human trafficking contact information for staff and Regional Workforce Boards throughout the state and encourage local Boards to link with these local efforts.
60. AWI should explore the ways in which current outreach information on safe workplaces could be expanded to include information about human trafficking and places that people can go for help and information. Florida's Creole-speaking Haitian farm worker community is especially in need of such information, along with greater awareness training of their rights under U.S. law. Similar information should be made available to the new wave of Asian farm workers arriving to Florida (especially those from Thailand and the Philippines) in their native languages.
61. AWI should feature human trafficking (how to identify human trafficking, resources, local efforts) in agency communications efforts, including the website.
62. Since human trafficking is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present, AWI should evaluate current protocols or directives that detail responses to other illegal activity to include specific mention of human trafficking and prescribe agency responses as appropriate.

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<sup>8</sup> While these recommendations are directed to AWI, it may be the case that Workforce Florida, Inc., or the Regional Workforce Boards more appropriately would have jurisdiction and authority to carry out these strategies. Or, there may be joint authority and implementation could take place at all levels. If so, each should consider acting accordingly.

63. AWI should disseminate information about human trafficking in employer-owned housing premises around Florida that AWI annually licenses and inspects and ensure that part of the licensing process involves the introduction of a requirement that information about human trafficking is posted in workers' native languages onsite in the employer-owned or leased accommodations where migrant workers are temporarily housed.
64. AWI staff should make sure that if they respond to calls on the Florida Farmworker Helpline that they understand human trafficking; AWI should promote the Florida Farmworker Helpline more extensively as a resource for exploited and trafficked workers.
65. Regarding the work of the "Children's Cabinet" and other multidisciplinary efforts, AWI and Regional Workforce Boards should join with other agencies and organizations and make human trafficking of children and vulnerable adults a priority issue area for attention and reform.
66. AWI's website should include information on human trafficking and links to other key anti-trafficking information. At a minimum, it should provide a link to the Department of Children and Families' human trafficking website.  
[://www.dcf.state.fl.us/initiatives/humantrafficking/](http://www.dcf.state.fl.us/initiatives/humantrafficking/).

## Department of Business and Professional Regulation

### **Background and Observations**

The work of the Department of Business and Professional Regulation (DBPR) is extremely important to the potential identification of human trafficking in Florida. DBPR inspectors and regulators have regular access to workplaces to ensure that they are operating legally. Business Regulation and Professional Regulation have offices throughout the state and tentacles into hundreds of thousands of workplaces. While not all of these are potential sites for human trafficking, many could be.

The Business Regulation has oversight over all hotels and restaurants and its staff regularly inspects and regulates public lodging and food service establishments. In FY 2009/10, the Division of Hotels and Restaurants alone accomplished over 165,000 inspections of the 82,600 licensed food service and lodging establishments in Florida. There are many ways an inspector might uncover human trafficking during the course of a routine food safety or public lodging inspection. For instance, inspectors are required to make sure that food service establishments have completely separate living and sleeping areas from food service areas. Because many victims of trafficking are forced to work in restaurants seven days a week, victims are often forced to work and live in the same place.

The Division of Alcoholic Beverages and Tobacco (ABT) licenses alcoholic beverage and tobacco sales, and its agents regularly inspect places where alcohol is sold, including strip clubs and other similar establishments where sex trafficking could take place. Law enforcement agents regularly conduct investigations in these establishments if they suspect illegal activity such as gambling or narcotics sales and use. They also have access to other data relevant to criminal investigations such as licensee addresses and social security numbers, all of which can assist law enforcement in its investigation of human trafficking cases.

Professional Regulation is the enforcement authority for professional boards, councils and programs. It enforces the laws and rules for a wide range of professions and related businesses such as construction workers, cosmetologists, employee leasing companies, and talent agencies (including modeling). This area of DBPR investigates and prosecutes complaints of wrongdoing, issues notices of noncompliance and citations for minor violations, and performs statutorily mandated inspections. Its inspectors have regular access to a wide range of workplaces where human trafficking could be present.

Also extremely relevant to the issue of human trafficking is the Farm Labor and Child Labor program within Professional Regulation. The Farm Labor Program employs sixteen inspectors who have the responsibility to ensure that farm workers' health, safety and welfare are protected. Many of these sixteen inspectors have responsibility for inspecting between 300 and 500 licensed farm labor contractors in their geographic area, overseeing farms that grow everything from blueberries to tomatoes to citrus, throughout the state. This program also provides training to its inspectors to ensure compliance with farm labor laws which include licensing, payroll, sanitation and transportation. DBPR's Farm Labor Contractor Inspectors have been involved with the investigation and prosecution of several human trafficking cases in Florida and many are trained on and familiar with the issue of human trafficking.

The Bureau of Child Labor enforces Florida's child labor laws as well as educates employers, public school officials, students, parents, and the general public. Many of its responsibilities may impact, or be impacted by, human trafficking as children are often victims of trafficking.

DBPR also licenses employee leasing companies which are where an employer has employees who are employed for at least one year. An employee leasing company assigns its employees to a client and allocates the control over the leased employees between the leasing company and the client. The state does not license temporary employment agencies, or those entities that provide employees for less than one year. It is important to note that these "temp"

agencies are required to pay workers compensation for its employees just as employee leasing companies are required to do.

DBPR and the Farm Labor program also have hosted a quarterly Florida Interagency Farm worker Focus Group. This group includes representation from a wide range of state agencies, advocacy groups and other interested persons. Its main focus is on health, safety and welfare issues and in the past has included human trafficking in its deliberations.

Some offices within DBPR, including Farm Labor Contractor Inspectors and other professional inspectors, have begun to educate staff regarding human trafficking. Moreover, DBPR's training director has indicated a willingness to undertake a "train the trainers" program so that human trafficking can be a regular part of the Department's training efforts. The Division of Alcoholic Beverages and Tobacco has held limited training and the Division of Hotels and Restaurants has not held training programs on human trafficking. Some of its agents and employees have attended training programs offered by entities outside of the Department. Sworn law enforcement officers within the Department also have access to the Florida Department of Law Enforcement human trafficking basic training and advanced investigator 40 hour training curriculum although none have received this training.

DBPR licenses employee leasing programs. DBPR currently does not have any agency protocols, directives or training materials relevant to each area's field of expertise and that are specific as to how employees can recognize human trafficking and respond if it is discovered. Currently, Hotels and Restaurant inspectors and others contact supervisors if they encounter or suspect illegal activity. Farm Labor investigators have called law enforcement directly in the past.

### **Analysis of Needs and Gaps**

The most important need faced by DBPR is for regular training and information on human trafficking. Since the special agents, inspectors and other staff have significant access to labor

situations around Florida, this training is a prerequisite to helping them to identify and respond to human trafficking.

It is well known that farm labor contractors can be some of the most notorious exploiters of workers. Some of the most egregious cases of human trafficking in Florida have resulted in these contractors serving long sentences in federal prison. However, with the huge geographic area facing the state's sixteen Farm Labor Contractor inspectors, it is difficult if not impossible for these inspectors to detect that these contractors may also be human traffickers. Increased resources would help these inspectors keep closer watch on these contractors for human trafficking and other illegal activity.

Several inspectors have already become involved in assisting law enforcement in the investigation of human trafficking cases. They have responded by contacting federal and local law enforcement. Law enforcement has also enlisted help from Farm Labor Contractor Inspectors in the form of requests for licensing applications and other documentation that employers and suspected traffickers have submitted to the State. This kind of cooperative effort is a model for how other divisions within DBPR could respond.

Temporary employment agencies, where employment is for less than one year, are not licensed by the State and should be the subject of state regulation. Law enforcement has reported that these entities can easily be fronts for human trafficking operations. Requiring licensure for "temp" agencies would close this gap.

In addition, DBPR staff needs to be familiar with those in their community who work on human trafficking. This includes knowing about local anti-trafficking task forces and being familiar with federal and state law enforcement officers who specialize in human trafficking cases. DBPR also should know the resources available to assist victims of trafficking in the local and national arenas.

Awareness efforts also can extend to the workplaces and the public that DBPR oversees. For instance, DBPR could add human trafficking to currently posted signs and notices, and other information so that workers can understand the law and the protections it affords to victims of trafficking. Human trafficking hotline numbers and resources could be shared with workers statewide.

Human trafficking currently is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present. Current protocols or directives that detail responses to other illegal activity could include specific mention of human trafficking and prescribe agency responses. In most cases, inspectors are required to note illegal activity and report it to their supervisors. As such, DBPR should ensure that these supervisors are familiar with human trafficking and with local human trafficking task forces and coalitions and law enforcement officers in their local area who are key contacts and responders.

Human trafficking has been featured in some of the Department's training programs but not yet in the media that the agency currently uses to communicate to staff and the public, such as in *Business Works*, its quarterly publication. Since DBPR has an important role to play in inspecting workplaces around the state, human trafficking should be highlighted in these public awareness and internal outreach efforts.

### **Recommendations**

67. The Department should expand training and outreach opportunities for DBPR employees, across-the-board, to learn about human trafficking and to communicate their valuable experiences with one another.
68. DBPR should provide local and national human trafficking contact information to DPBR staff and inspectors throughout the state and encourage staff to build linkages with these local efforts.



69. The agency should explore the ways in which current mandated information on safety and health which is posted at work sites can be expanded to include information about human trafficking and places workers can go for help and information. If legislative authority is required, the Department should consider the recently enacted Texas law that mandates the posting of the national human trafficking hotline wherever alcohol is sold.<sup>9</sup> Agency communication efforts should feature human trafficking (how to identify human trafficking, resources, local efforts, and work done by DPBR in conjunction with successful anti-trafficking prosecutions).
70. Since human trafficking is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present, DBPR should evaluate current protocols or directives that detail responses to other illegal activity to include specific mention of human trafficking and prescribe agency responses as appropriate.
71. The Legislature should pass legislation to regulate temporary employment agencies where employment is for less than one year and place the licensure of these entities within DBPR.
72. The state should increase resources to the Farm Labor program to assist in the inspection of Farm Labor Contractors and the Department should make recommendations for increases in staff in other areas as needed.
73. The DBPR website should include information on human trafficking and links to other key anti-trafficking information like the Department of Children and Families' human trafficking website. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

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<sup>9</sup> See <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/SB012871.htm>

## Department of Children and Families

### **Background and Observations**

The Department of Children and Families (DCF) has a wide variety of responsibilities related to the health and safety of people in Florida. These responsibilities range from protecting vulnerable children and adults to administering refugee programs and Florida's Temporary Assistance to Needy Families (TANF) programs. Its staff and contractors come in contact with the state's most vulnerable residents and, by definition, this includes victims of trafficking.

Starting in 2002, initiatives of DCF have included statewide human trafficking awareness and education efforts, major policy changes and in-depth internal work to train and focus the Department's Office of Family Safety and other key DCF staff and contractors on children who are victims of trafficking. In 2004, Florida State University, under contract with the Department's Office of Refugee Services, issued the State's first comprehensive report on human trafficking: *Florida Responds to Human Trafficking*.<sup>10</sup> This report was the culmination of a multi-year effort that included the State's first statewide human trafficking multidisciplinary working group. DCF also has created a special position, a Statewide Human Trafficking Coordinator within the Office of Refugee Services.

The Florida Department of Children and Families serves victims of human trafficking in a variety of ways. The Department provides public benefits to certified victims of human trafficking. These benefits include refugee medical assistance, refugee cash assistance and access to the supplemental nutrition assistance program (SNAP). Certified victims of human trafficking are also eligible for services through the Department's Refugee Services' providers. These services, located in many places around Florida and available through the Office of Refugee Services, include education and vocational training, employment assistance and child care. The Department assists trafficked persons on a regular basis. For instance, in 2009, DCF obtained, on behalf of a trafficked child, the first interim benefits letter through the federal government.

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<sup>10</sup> [http://www.cahr.fsu.edu/sub\\_category/thereport.pdf](http://www.cahr.fsu.edu/sub_category/thereport.pdf)

This letter is only for non-U.S. citizen minors of human trafficking and allows them to receive public assistance from the government.

In May 2009, the Department implemented a human trafficking maltreatment code for children.<sup>11</sup> (This Code does not include vulnerable adults.) The Human Trafficking Maltreatment Code helps the Department to identify minor victims of trafficking so that they can receive with direct services and appropriate referrals. The Code also allows DCF to track the numbers of cases in Florida where human trafficking is suspected or found. When entered by the Abuse Hotline worker taking a report where trafficking is suspected, the Human Trafficking Maltreatment Code alerts the child protective investigator (CPI) reading the report that trafficking might be present. The CPI, in turn, can focus her or his investigation on this possibility so that if human trafficking is present, that child can be helped to receive benefits and relief under federal and state law.

When a human trafficking case is discovered and brought to the Department's attention, a DCF Operating Procedure<sup>12</sup> requires a collaborative approach on human trafficking cases by stating that each case must be staffed by a multi-disciplinary team, which can include law enforcement, CPIs, case management staff and refugee services. This Operating Procedure and the other work done by the Office of Family Safety is a national model for responses to human trafficking of children.<sup>13</sup>

The Department of Children and Families has undertaken a number of significant steps toward highlighting human trafficking. DCF co-hosted a statewide, interdisciplinary Human Trafficking Summit in October 2009. DCF Secretary George Sheldon co-chairs the State's first legislatively-created Statewide Human Trafficking Task Force with the Commissioner of the Florida

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<sup>11</sup> See Appendix A, of the Legal Best Practices Guide found at:

<http://www.dcf.state.fl.us/initiatives/humantrafficking/docs/LegalBestPracticesOct2009.pdf>

<sup>12</sup> CFOP 175-14, available at: [http://centerforchildwelfare.fmhi.usf.edu/kb/humantraf/CFOP\\_175-14-IntakesInvestigativeResponseToHumanTraffickingOfChildren.pdf](http://centerforchildwelfare.fmhi.usf.edu/kb/humantraf/CFOP_175-14-IntakesInvestigativeResponseToHumanTraffickingOfChildren.pdf)

<sup>13</sup> See noted recognition by the American Bar Association at its sponsored June 25, 2010 webinar at: [http://www.nrcpps.org/slo\\_support/teleconferences.php](http://www.nrcpps.org/slo_support/teleconferences.php)

Department of Law Enforcement (FDLE), Gerald Bailey. DCF's Office of Family Safety and Children's Legal Services have received intensive human trafficking training and many other offices have also received training on human trafficking.

From 2007–09, DCF contracted with the Florida Immigrant Advocacy Center (FIAC) to develop human trafficking related training and protocols. This work has resulted in significant changes within the Department, including:

- Adoption of an Operating Procedure that outlines responsibilities for Family Safety, Abuse Hotline and Community-Based Care Agency staff regarding assisting child victims of trafficking;
- Implementation of a maltreatment code for “human trafficking”;
- A four-page “Information Kit” which contains critical information on human trafficking;
- Distribution of a *Legal Best Practices Guide* for attorneys and other justice system personnel both within and outside of DCF, which has its focus on children who are trafficked;
- A comprehensive Literature Review which is available to the public; and
- Widely disseminated webinars and other on-line training tools on human trafficking including a two module interactive video link for Child Protective Investigator training.

The Department of Children and Families initially focused its anti-trafficking work in two principal offices, the Office of Family Safety and the Office of Refugee Services. In December of 2009, it hosted a training session for other program areas including Substance Abuse and Mental Health, Adult Protective Services, Domestic Violence, Homelessness and Economic Self-Sufficiency.

Children's Legal Services (CLS) is a statewide law firm within the Department, with offices in each region of the state and with seventeen managing attorneys who oversee the work of CLS attorneys in each of Florida's 20 judicial circuits. CLS attorneys represent the State of Florida, and act through the Department in its *parens patriae* role. CLS's duty in representing the State

is to ensure the health, safety and well-being of children and the integrity of families when they come into contact with the Department as a result of an allegation of abuse, abandonment or neglect, allegations which are always present in human trafficking cases. Attorneys within the Office of General Counsel and CLS within the Department have sponsored two Continuing Legal Education (CLE) programs on human trafficking and some attorneys also have participated in local and regional training programs. CLS attorneys have received the *Legal Best Practices Guide for Protection of Child Victims of Human Trafficking*.

DCF has also developed a comprehensive website on human trafficking which has a great deal of statewide human trafficking information.<sup>14</sup> While a work in progress, it does include reports, information on local task forces, a calendar and relevant proposed legislation. Many other agencies in state government also link to this website.

DCF continues to enhance its data collection efforts on human trafficking in terms of numbers of cases that come into the Abuse Hotline and those seen by Family Safety. Data collected from the inception of the human trafficking maltreatment code in May 1, 2009 through June 30, 2010 shows that there have been 156 trafficking investigations with 22 verified cases of human trafficking. Most cases are coming from Broward, Hillsborough, Lee, and Miami-Dade counties. There have been a total of 180 cases involving children where human trafficking has been investigated and of this number 136 were age 13 or older and the majority of these victims are female.

The Department collaborates with local law enforcement, the Department of Juvenile Justice, federal immigration authorities, child protection teams, the Department of Health and many others. Since human trafficking cases require extensive community collaboration, it is important that DCF knows and works with local partners to assist victims of trafficking.

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<sup>14</sup> <http://www.dcf.state.fl.us/initiatives/humantrafficking/>

Children who are victims of trafficking suffer from multiple victimizations and harm. Many of the U.S. citizen minors who run away from home or who are within DCF care (foster care or other out-of-home placements) are at high risk for being lured into human trafficking. Moreover, when children are trafficked either for labor or commercial sex, they must receive appropriate care and placement. Currently, Florida lacks housing and adequate services that are tailored specifically for victims of domestic sex trafficking.

There are statewide efforts where the Secretary or other leaders in the Department could raise the issue of human trafficking in collaboration with others. One such effort is Florida's Children and Youth Cabinet. The vision of this Cabinet is that "All children in Florida grow up safe, healthy, educated and prepared to meet their full potential" and its mission is "To ensure that the public policy of Florida relating to children and youth promotes interdepartmental collaboration and program implementation in order for services designed for children and youth to be planned, managed and delivered in a holistic and integrated manner to improve the self-sufficiency, safety, economic stability, health and quality of life of all children and youth in Florida."<sup>15</sup> Children who are trafficked could be greatly helped by those on this Cabinet working together to raise the issue of human trafficking and coordinate their work to help them.

While U.S. citizen and non-U.S. citizens may need many similar services and suffer similar harm, there are important distinctions, including that non-U.S. citizens require immigration assistance and that they are not eligible for federal programs that U.S. citizens can access. One example of this programming is the Unaccompanied Refugee Minors Program, which DCF oversees in Florida. This is a federal foster care system for foreign-born trafficked youth. U.S. citizens have access to welfare benefits and other services, but it is important to note that very few of these services are tailored to their specific needs as victims of sex trafficking.

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<sup>15</sup> See [http://www.flgov.com/youth\\_cabinet](http://www.flgov.com/youth_cabinet) .

Florida law governing Adult Protective Services allows the investigation of possible abuse and neglect for vulnerable adults between the ages of 18 and 59. A vulnerable adult is defined as someone who is "18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protections is impaired due to a mental, emotional, long-term physical, or developmental disability or dysfunctioning, or brain damage or the infirmities of aging."<sup>16</sup> Adult Protective Investigators can respond when issues pertain to "disabled adults or elderly persons" in need of services.<sup>17</sup> The law limits APS staff to investigating only those cases between the vulnerable adult and a "caregiver, household member or relative." The statute further defines caregiver as "a person who has been entrusted with or has assumed the responsibility for frequent and regular care of or services to a vulnerable adult on a temporary or permanent basis and who has a commitment, agreement, or understanding with that person or that person's guardian that a caregiver role exists."<sup>18</sup> Adult Protective Services' has taken the position is that it is not feasible for them to investigate cases of human trafficking where adults are involved, that they have had no reported cases of human trafficking, that Florida law poses a bar to their investigating and helping such victims of trafficking and that such cases are rare or non-existent.

DCF has carried out significant awareness and policy changes in the area of human trafficking. In addition to the already-developed work of the Offices of Family Safety, the Florida Abuse Hotline and Refugee Services, other entities within the Department have also begun to benefit from awareness and education about human trafficking that specifically is targeted to their client populations.

### **Analysis of Needs and Gaps**

Several key program offices within the Department have continued or recently have begun work to integrate human trafficking awareness and responses into their existing work. Program offices -- with the exception of Adult Protective Services, and Substance Abuse and Mental

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<sup>16</sup> Section 415.102 (26), Florida Statutes

<sup>17</sup> Section 415.101(2), Florida Statutes

<sup>18</sup> Section 415.102(4), Florida Statutes

Health -- have developed or have begun to implement action plans to address human trafficking. These efforts are solid first steps and should continue.

Specifically, the Family Safety Program Office continues to educate internal staff about the resources available to them, including dissemination of information noting that Florida's Center for Advancement of Child Welfare Practice (Center) has created a dedicated webpage specific to human trafficking resources that both internal staff and community members can view.<sup>19</sup> Additionally, this Office is continuing efforts to train staff on how to identify human trafficking including programming at the annual Dependency Summit and through multiple on-line training presentations on the Center's webpage which are dedicated to human trafficking. (One such video has been viewed by over 1,400 people statewide.) This Office is in contact with FDLE to conduct a joint training between FDLE and the Department specific to child human trafficking. On the subject of victims of trafficking who are U.S. citizens, current programs within the Office of Family Safety that include care for children who are victims of domestic trafficking should develop screening and treatment responses that can help prevent children from becoming victims of domestic minor sex trafficking and that assist children who are currently being prostituted or forced into other aspects of the sex industry.

Florida's ACCESS (Automated Community Connection to Economic Self-Sufficiency) Program is responsible for public assistance eligibility determination and ongoing case management of Food Stamps, Temporary Cash Assistance and Medicaid. Since traffickers prey on economically vulnerable people, it is important that the public who visit these offices and the staff who assist them understand human trafficking. Moreover, trafficked persons are eligible to receive these benefits if they are certified as victims by the U.S. Department of Health and Human Services. The ACCESS program has provided posters in its service centers, store fronts, and community ACCESS partner sites to promote awareness of human trafficking among the population they serve. This office is in the process of enhancing the ACCESS web application so that it allows applicants to identify themselves or family members as victims of human trafficking when one or more household members is a non-citizen. The ACCESS office has also included information

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<sup>19</sup> <http://centerforchildwelfare.fmhi.usf.edu/kb/humantraf/Forms/AllItems.aspx>



on public assistance eligibility for trafficking victims in pre-service training for ACCESS eligibility staff. All of these efforts are important to facilitating the delivery of benefits to certified trafficking victims and should continue.

The Domestic Violence Program Office oversees and administers contracts with the Florida Coalition Against Domestic Violence (FCADV), the statewide association of 42 local domestic violence centers that provide technical assistance and funding to certified centers. The Domestic Violence Program Office's actions regarding integrating human trafficking into its work principally involve monitoring FCADV to ensure that it is training and informing local domestic violence center staff about human trafficking, as well as ensuring that specific training on the intersection of domestic violence and human trafficking takes place.<sup>20</sup> In addition, this office is proposing a series of other training programs for other significant sectors of the state that it supports with technical assistance and funding. These include contracting with the Florida Prosecuting Attorneys Association for a training of at least 75 prosecutors on human trafficking, working with the Florida Council Against Sexual Violence to train Sexual Assault Response Teams (SART) and others on human trafficking through live and webinar-based training, and working with the state's Batterer Intervention Programs to add human trafficking to their training agenda in a variety of ways. These training efforts, which are projected to occur through 2012, make significant progress toward informing and supporting a range of professionals who are likely to come in contact with victims of trafficking.

The Child Care Licensing Program Office is another Office which has a role to play in public awareness of human trafficking and should distribute public awareness campaign materials. They should also add a link to DCF's human trafficking website as well as the federal Rescue and Restore website from its child care provider page.

DCF's Office on Homelessness is including the topic of human trafficking in its annual conference; however, it does not have information on what local homeless programs are doing

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<sup>20</sup> See pps. 46-63 for information about services provided to trafficked women and children, including services provided by some local domestic violence centers.

to address this issue. Florida's homeless population is extremely vulnerable to human trafficking and it is very important for this Office to provide stronger leadership on this topic. An important case to recall here is the *Evans* case where traffickers from a family farm in Palatka, Florida, combed the homeless shelters of South Florida luring homeless, mainly African American men, to work on their family farms. They targeted this particularly vulnerable population in Florida and North Carolina, recruiting homeless U.S. citizens from shelters across the Southeast, including New Orleans, Tampa, and Miami. The Evans' deducted the cost of rent, food, crack cocaine and alcohol from workers' pay, holding them "perpetually indebted" in what the Department of Justice called "a form of servitude morally and legally reprehensible." The Coalition of Immokalee Workers and a Miami-based homeless outreach organization, Touching Miami with Love, reported the case to federal authorities in 2003.<sup>21</sup>

Adult Protective Services has not undertaken comprehensive human trafficking awareness among its staff and contracted providers due to its position that the population it serves could not be trafficked, thus making any training and awareness irrelevant. APS believes that the addition of a "human trafficking" maltreatment code for vulnerable adults is not needed for the same reason. While the statute may present some barriers to services, this Office should reconsider its position that none of those whom it serves could be trafficked. Instructive to this point is a case from Kansas where a "caregiver" couple was sentenced to a combined 37 years in federal prison for trafficking mentally ill U.S. citizen adults in a residential treatment group home.<sup>22</sup> Other crimes for which they were convicted include involuntary servitude and forced labor. It would appear that Florida law, as written, would allow APS to investigate a similar case were it to occur in Florida. If there are statutory barriers to complete service, DCF should consider and propose amendments to the law to allow for greater protection of those vulnerable adults between the ages of 19 and 59 who could be trafficked. One amendment might be to change the definition of "caregiver" in the context of adults so that the lack of an identified caregiver would not be a bar to investigation and help. This change was made to the law pertaining to children so that if the "caregiver" is unavailable the child can still be assisted.

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<sup>21</sup> See <http://www.ciw-online.org/slavery.html>

<sup>22</sup> See *United States vs. Kaufman*, [http://www.justice.gov/opa/pr/2005/November/05\\_crt\\_599.html](http://www.justice.gov/opa/pr/2005/November/05_crt_599.html)

Finally, since the focus of work within DCF to date has been principally on children who are trafficked, this effort has resulted in a specific maltreatment code for this population. Similarly, since there is not an official maltreatment code for vulnerable adults who are victims of trafficking, this code could be helpful, just as with children, to direct and assist these trafficking victims.

It will be very important for the Department to continue to follow up on these action plans with each program office and provide necessary technical assistance and other needed support.

Children's Legal Services attorneys should have regular training and updates on human trafficking relevant to their duties. Specialized Continuing Legal Education (CLE) programming that is geared to child welfare attorneys is also important to develop and implement. There are multiple opportunities for CLS attorneys to receive this training including the Department's annual Dependency Summit, and its regular CLE programming and through webinars. This training should focus on both non-U.S. citizen children of trafficking and domestic victims, particularly victims of domestic minor sex trafficking.

It is also important that all DCF staff and contractors who can come in contact with victims of trafficking receive regular, ongoing training, that the training is accommodated to staff's particular responsibilities and that new employees are trained on human trafficking. Work product from contracts such as that with FIAC also needs to be updated regularly as the laws and their implementation are in a constant state of flux. The Department should also continue to ensure that human trafficking is on the agenda for all relevant training programs it sponsors or funds such as the Dependency Summit and The Southeast Institute on Homelessness and Supportive Housing.

Most DCF staff and contractors collaborate with their local law enforcement and victim service providers on issues such as sexual abuse or domestic violence. Similarly, it would be important that these local circuit staff know who to call when they encounter victims of human trafficking,

including CLS attorneys in that circuit and region. Some DCF staff is aware of local of anti-trafficking efforts and they participate in these meetings, but this is not the case in every circuit. A Guide to anti-trafficking efforts, contact persons and important linkages should be available in each DCF Circuit so that all staff and the public in that local area know who to contact.

The Office of Family Safety has developed a data collection effort on child human trafficking cases. Other program offices should also include human trafficking data collection so that trafficked adults will also be counted.

DCF's website should continue and be enhanced to include an up-to-date calendar of all human trafficking trainings and links and other resource information specific to human trafficking projects and resources in Florida and nationally. Agency intranet services, such as the Abuse Hotline, do provide regular information and updates about human trafficking, and this is a good lead to follow, in terms of making information about human trafficking be available to the public. For instance, the State Department released the 2010 Trafficking in Persons (TIP) Report in June 2010, and this could be a good resource for those visiting the Florida site to access. Finally, DCF should raise the issue of human trafficking in statewide efforts such as Florida's Cabinet on Children and Youth so that trafficking of children and vulnerable adults can be effectively addressed in already-established multidisciplinary venues.

### **Recommendations**

74. DCF should create training and outreach opportunities for all DCF staff that may come in contact with victims of trafficking to learn about human trafficking. This training should be specific and tailored to the staff responsibilities so that, all staff receive training relevant to their duties and responsibilities.
75. The Office of Family Safety within DCF should develop intake, screening and treatment responses that can help prevent children from becoming victims of domestic minor sex trafficking and that assist children who are currently being prostituted or forced into other aspects of the sex industry.

76. The ACCESS (Automated Community Connection to Economic Self-Sufficiency) Program should continue to provide posters in its service centers, store fronts, and community ACCESS partner sites to promote awareness of human trafficking among the population they serve.
77. The Child Care Licensing Office should promote human trafficking awareness on its website and among the populations they serve.
78. The Domestic Violence Program office should continue and where appropriate, begin training efforts, to ensure that domestic violence program staff and others to whom they provide technical assistance and support receive training on human trafficking.
79. The Office on Homelessness should not only include the topic of human trafficking in its annual conferences and meetings but also promote human trafficking awareness and education among those who provide help to the homeless.
80. DCF should adopt a specific maltreatment code for adults who are victims of trafficking so that human trafficking can be coded by the hotline and Adult Protective Investigators, as it can now be coded and tracked for children.
81. The Office on Adult Protective Services should receive more training on human trafficking and how it could encounter and assist victims of trafficking within their jurisdiction.
82. Children's Legal Services attorneys should have regular training and updates on human trafficking relevant to their duties.
83. Regarding the work of the "Children's Cabinet" and other multidisciplinary efforts, DCF should join with other agencies and make human trafficking of children and vulnerable adults a priority issue area for attention and reform.
84. DCF should provide circuit-by-circuit local and national human trafficking contact information for staff and contractors throughout the state and encourage them to link with these local efforts.
85. Agency communications should regularly and prominently feature human trafficking including how to identify human trafficking, resources, local efforts and best practices.

86. The Human Trafficking Coordinator should ensure that information created for DCF on human trafficking is regularly supplemented and updated to reflect current laws, trends and resources.
87. The Department should continue to provide assistance and follow up on program office action plans with regard to human trafficking as many action items are ongoing in nature.
88. Since traffickers target the most vulnerable people, it is important that Substance Abuse and Mental Health develop and implement efforts to assist the populations they serve. These efforts should focus on training for all front-line staff on prevention and awareness efforts with their clients as well as how to identify and respond to a suspected trafficking case.
89. DCF should consider and propose amendments to the law to allow for greater protection of those vulnerable adults between the ages of 19 and 59 who could be trafficked.
90. The Department should support “Safe Harbor” legislation that provides services to victims of domestic minor sex trafficking.
91. The human trafficking website should be updated and include important information such as local task force or coalition meetings, training programs, important national human trafficking information, and other human trafficking related events.
92. DCF should evaluate current data collection efforts and make sure that all relevant program offices are collecting data on human trafficking.
93. The Department should ensure that all current training programs such as the two on-line training modules for Child Protective Investigators and video links on human trafficking available on the Center for Child Welfare (<http://centerforchildwelfare.fmhi.usf.edu/kb/humantraf/Forms/AllItems.aspx>) are utilized by all relevant staff and that these programs are tracked in terms of numbers of times that they are viewed.

## Courts

### **Background and Observations**

The issue of human trafficking has the potential to impact the court system at many different levels and divisions. Judges who sit on the bench in family court, criminal court including delinquency matters, dependency court, or emergency and duty judges, and in general civil matters, all have the potential to have human trafficking be at issue.

The Office of State Courts Administrator (OSCA) provides general training to new and experienced judges, and some court staff, such as court administrators and appellate law clerks. About 900 hours of instruction are offered each year. Judges and judicial staff attend multidisciplinary programs such as the Dependency Summit sponsored by the Department of Children and Families. Regional and local educational programs also take place statewide. Each year there are county and circuit judges' conferences where educational programs occur and where human trafficking has been an available workshop for attendees. On-line training is available as well. For instance, there is a virtual training on domestic violence where judges and staff can be introduced to issues commonly confronted in civil domestic violence cases. There are also training videos available on line and electronic publications such as the quarterly Full Court Press. In an example of this in action, The OCI Files, a former monthly electronic newsletter of the Office of Court Improvement, featured an article about human trafficking in November 2007.

There are also specialized courts such as the Unified Family Court program, whose staff includes case managers. In such courts, knowledge about human trafficking is very important. Like others organizations and agencies that are dependent on public funding, the courts have suffered budget cuts, including travel and training budgets, making the challenge of providing training even greater.

Judges need to know when and if to ask about human trafficking in cases as it may be the keystone event that helps the rest of the case make sense. For instance, what should a dependency judge conclude when a 15 year old desperately pleads with him to let him go back to the farm and work instead of living with a family and going to school? What questions should that judge ask caseworkers? How would a judge know whether a woman who is a non-U.S. citizen and is beaten by her alleged “fiancé” is a victim of domestic violence, human trafficking or both? Can witnesses, court personnel and litigants be in even more danger from trafficking rings if human trafficking goes unrecognized? Judges are in the best place to ask important questions of counsel, and these are questions that could bring human trafficking to light.

Jails and booking personnel also do not currently receive information about human trafficking and this practice should change so that county judges can know whether or not to release defendants prior to first appearance (if that person is a trafficker, there is an extremely high flight risk) as well as how to help potential victims of trafficking who may have been mistakenly arrested.

There are numerous places in the justice system for awareness of human trafficking and professional education for judges such as local bar associations, the Florida Bar, and other associations that are specific to counsel such as the Florida Prosecuting Attorneys Association, the Florida Public Defender Association and the Florida Association of Criminal Defense Lawyers.

### **Analysis of Needs and Gaps**

The most important need faced by judges and the courts is for greater awareness and education about how human trafficking can underlie the cases that come before them. Judges and staff need to know about anti-trafficking programs, resources and how to respond. Judges and/or staff need to become familiar with those in their community who comprise local anti-trafficking task forces and, in the absence of formal efforts, know who key federal and state law



enforcement are who have significant responsibility in anti-trafficking work. Court advocates and assistants should know about resources available to assist victims of trafficking in the local, state and national arenas.

The issue of human trafficking is not relevant to only one or two kinds of courtrooms but could arise in a wide range of judicial venues, thus making the need for materials such as bench guides and of distance learning programs on human trafficking significant and urgent. OSCA has laid the groundwork with preliminary training and awareness.

### **Recommendations**

94. The court system should expand training and outreach opportunities for judges and judicial staff to learn about human trafficking.
95. The court system should provide local and national human trafficking contact information for each of the 20 judicial circuits and distribute widely among all courts, jails and other offices.
96. OSCA should explore the ways in which current training venues, including New Judges' College and advanced judicial education programs, can include human trafficking in case examples and training hypotheticals.
97. The court system should feature human trafficking (how to identify human trafficking, resources, local efforts, Florida cases of anti-trafficking prosecutions) in newsletters and other communications developed by the OSCA.
98. OSCA should create bench guides or other materials that can help judges identify and inquire about human trafficking in court.

## Department of Environmental Protection

### **Background and Observations**

Human trafficking may not be the first topic that comes to mind when one thinks about the work of the Department of Environmental Protection (DEP). However, like many other state agencies, those who work for and with DEP can play important roles in recognizing and responding to human trafficking in Florida. DEP's jurisdiction is vast and includes all of the public lands and waters of the State of Florida as well as private lands within Florida where regulated activities occur. Moreover, like other agencies, DEP's many regulatory functions require personnel to be in a variety of workplaces and remote areas in order to inspect areas for permitting and compliance purposes, and to carry out administrative and civil enforcement of Florida's environmental laws. DEP's regulatory functions extend to protection of Florida's land, air and water quality and govern matters from air emissions to coastal construction, development in wetlands, landfills, marinas, public water systems, wastewater plants and paper mills.

Under certain circumstances, violations of the Department's laws may constitute criminal offenses. To investigate whether criminal violations have occurred, the Department has 138 sworn law enforcement officers, including Special Agents from the Criminal Investigations Bureau, with full arrest powers. Special Agents most often investigate crimes and violations that have a negative impact on Florida's environment, including the improper storage, transport, or disposal of hazardous waste; destruction or illegal filling of wetlands; or the burying or burning of prohibited materials. However, they are accredited to investigate and make arrests for all crimes, not just those related to the environment. Crimes associated with organized crime such as fraud, forgery, and conspiracy can be associated with environmental violations just as these crimes are also associated with human trafficking, making it likely that DEP will encounter human trafficking.

DEP's Division of Law Enforcement oversees the bureaus of Emergency Response, Criminal Investigations, Park Police and the Training Center and provides assistance in disasters that threaten or endanger life or property. The Division of Law Enforcement's Bureau of Park Police also has full arrest powers. They patrol more than 800,000 acres of Florida's state-owned lands, providing law enforcement and public service within 160 state parks, as well as preserves, recreational areas, greenways and trails. The officers also patrol more than four million acres of submerged coastal and aquatic managed areas.

Like human trafficking cases, DEP's investigations, whether civil or criminal, are often long-term and complex. Foundational to these cases is the expert assessment and testimony of the Department's regulatory and scientific professionals. In fact, one estimate is that upwards of 85% of DEP's staff of over 5000 are "in the field," and so, if properly trained, could report suspected trafficking. Like the legions of inspectors for local government and other agencies of state government, DEP's professionals have access to places such as fields, construction sites, migrant worker camps, factories, fuel storage areas, waste facilities, water bodies and a host of other areas where victims could be enslaved. For example, State Park Police have reported seeing non-U.S. citizens (assumed to be migrant farm workers) illegally camping in state parks for weeks at a time. Many of DEP's investigations are triggered by citizen complaints and observation of unsafe conditions such as tire burning or dump sites near water supplies.

DEP's federal counterpart, the Environmental Protection Agency, was the first to discover the enslavement of workers at the Evans farm in Palatka, Florida.<sup>23</sup> In this 2006 case, federal prosecutors successfully obtained a conviction against Evans family members on a number of counts including the Clean Water Act and labor law violations. This successful prosecution began when the EPA investigated the dumping of human waste into the St. Johns River, saw workers and the deplorable conditions where they lived and worked and reported this to their federal counterparts who proceeded to convict the defendants on trafficking-related crimes.

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<sup>23</sup> See the EPA press release on *U.S. v. Evans* at <http://www.epa.gov/compliance/resources/cases/criminal/highlights/2007/robertevans-07.pdf>

DEP has encountered human smuggling that instead may have been human trafficking, including some of the large numbers of Cuban refugees who land on state park lands in Monroe County. Officers also investigated a case involving workers who could not leave a migrant worker camp, had to buy supplies from the “company store” at exorbitant prices, lived in horrendous conditions and were held in indentured servitude. (While there were convictions in that case, none were related to treatment of the workers.) Staff has also seen cases where foreign workers were employed in dangerous settings such as asbestos removal where the employer (who was the low bidder on a contract) exploited foreign workers and did not provide them with adequate safety gear or follow the law regarding asbestos removal. Again, it is possible this was a human trafficking case.

DEP works with many local, state and federal task forces and the agency supports broad and active involvement in these cooperative endeavors so long as they are in furtherance of DEP’s mission. When DEP law enforcement officers have encountered smuggling, they work in conjunction with the local law enforcement and federal Immigration and Customs Enforcement (ICE).

Regarding training, human trafficking has not been a topic for training or awareness among law enforcement or non-law enforcement staff, except for those DEP law enforcement recruits who undergo basic academy training that recently has included human trafficking and at least one DEP officer who has taken the 40 hour FDLE advanced investigator training. There is great interest among other officers in receiving more in-depth training on human trafficking.

There also is a recognition that a basic training on human trafficking is needed agency-wide beyond law enforcement officers, as well as a need for training that is tailored to the work done by the specific regulatory staff and law enforcement so that they can see the kinds of cases that are most likely to arise in the areas where they conduct their duties. Law enforcement, in particular, greatly prefers face-to-face training as opposed to distance learning. Additionally, law enforcement has a decided preference for prosecutors to assist in training and so that they

can inform officers regarding the kinds of evidence and investigations needed for successful prosecutions.

When they suspect criminal activity, DEP's regulatory staff contact DEP law enforcement officers. A DEP crime analyst regularly disseminates intelligence bulletins about many different matters such as smuggling and other crimes related to human trafficking. To date, DEP has not been part of any local human trafficking task force or coalition.

### **Analysis of Needs and Gaps**

The most important need faced by the Department is for regular training and information on human trafficking. The many aspects of both law enforcement and other regulatory activities that bring law enforcement and regulatory staff into workplaces makes it imperative that *all* DEP staff and contractors understand how to recognize human trafficking and how to respond if trafficking is found or suspected. To the same extent that regulatory staff can observe and report on any other illegal activity, they should be informed and aware so that they, similarly, could recognize and respond to trafficking. Training should be tailored to the job functions of those who are being trained. While a general, basic training on the elements of human trafficking, and how to respond could be used Department-wide, specific training modules should be developed to allow law enforcement, regulatory staff and others to learn how they might encounter human trafficking during permitting, compliance, enforcement or law enforcement patrol. Cases like *U.S. v. Evans* should be highlighted as examples of where environmental compliance standards can lead to uncovering human trafficking. Law enforcement training should be face-to-face and allow for questions and interactions.

DEP law enforcement could also widely share information on the availability of the 40-hour advanced investigator training course on human trafficking offered by FDLE, and officers and investigators whose work might bring them into contact with human trafficking cases on a more regular basis should be encouraged to attend. DEP could also explore the opportunity to

put the issue of human trafficking on the in-service agenda or include it in web-based training software, where that training method is favored.

DEP, like other agencies of state government, is an important resource for information that its officers observe and report. Therefore, DEP's reports about human trafficking should be communicated to and supplement the FDLE data base on human trafficking case information. Conversely, DEP's crime analyst(s) should receive information from FDLE and other federal, state, and local partners and distribute it to DEP officers.

DEP's ongoing partnerships with state and federal partners in their communities should be expanded to include work on and familiarity with human trafficking cases. This includes knowing about local anti-trafficking task forces and coalitions as well as those federal and state law enforcement officers who specialize in human trafficking cases. DEP also should be aware of the resources and social services available to assist victims of trafficking in the local and national arenas. DEP staff and officers encountering a victim of trafficking would not provide these services, but should know whom to contact and that victims of trafficking are eligible for a range of benefits as well as immigration relief. Human trafficking hotline numbers and resources should be considered as additional information that could be shared with staff and the public statewide.

Human trafficking is not specifically included in agency protocols or directives that describe what officers and others should do if they suspect human trafficking is present. Current protocols or directives that detail responses to other illegal activity could be evaluated to assess whether human trafficking should be specifically mentioned.

### **Recommendations**

99. DEP should expand training and outreach activities for officers and staff on human trafficking as well as outreach to the public, where appropriate.

100. DEP's officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
101. DEP should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
102. DEP staff should all have local and national human trafficking contact information and officers and others throughout the state should build linkages with these local efforts. In particular, many DEP officers and regulatory staff who are already active on state and federal task forces should explore how to include human trafficking in current partnerships, as appropriate.
103. Federal immigration authorities should be responsive when state law enforcement authorities request assistance concerning undocumented persons who may be victims of trafficking.
104. Webmasters at DEP should post human trafficking contact information to the DEP web page which includes a link to the Department of Children and Families' human trafficking website: <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## Florida Fish and Wildlife Conservation Commission

### **Background and Observations**

The Florida Fish and Wildlife Conservation Commission (FWC) has an important role to play regarding identifying and responding to human trafficking. This is primarily due to the significant law enforcement presence in the agency. Secondly, like the Department of Environmental Protection, FWC performs a regulatory function and non-law enforcement sworn staff, such as biologists who collect samples from wildlife areas, monitor wildlife and come in contact with a variety of workplaces. FWC's sworn officers remain a most important links to recognition and reporting of human trafficking cases.

The Commission's Division of Law Enforcement is constitutionally mandated to provide law enforcement services to protect fish and wildlife resources, the citizens and visitors of Florida, and provide boating safety patrol for all state waters. FWC officers, who are uniquely trained and equipped, patrol the most rural and remote parts of the state. These patrol activities provide FWC officers opportunities to discover criminal activity which may not be readily detected by other law enforcement entities.

FWC law enforcement officers provide a supporting role to local and federal law enforcement through mutual aid agreements for a variety of law enforcement services, which could include identifying and responding to human trafficking. FWC officers have previously encountered human smuggling operations and apprehended violators. When this occurs, the case is worked in conjunction with the local sheriff and federal Immigration and Customs Enforcement (ICE). The FWC has 721 sworn officers with full police powers and statewide jurisdiction. They also are federally deputized through joint enforcement agreements with U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration (NOAA), and the National Marine Fisheries Service. FWC Officers patrol wilderness, inshore, and offshore areas and have built cooperative relationships with local and federal law enforcement entities, thus providing another link to help those officials identify and report suspected human trafficking.



Florida law provides all certified law enforcement officers the authority to board and inspect boats to ensure compliance with laws regarding boating safety, fishing, marine sanitation and fuel carriage, among others. Approximately fifty percent of FWC officers' patrol activity is dedicated to the fresh and salt waters of the state, which provides for the annual inspection of over 300,000 vessels each year. Additionally, FWC officers' diverse duties include responding to natural disasters and working with other agencies on homeland security issues. To assist officers in land and water patrol, the FWC Aviation Unit provides quality aerial support. Aircraft perform life saving search and rescue operations. Aircraft and pilots act as force multipliers, providing law enforcement coverage over large expanses of land or water in a short period of time. Pilots are able to observe activity or lack of activity and report that information to area officers. The ability to act as the field officers "eye in the sky" increases the efficiency of the ground or water officer, saving them time and equipment operation expense, and increasing contacts and arrests. FWC pilots cover over 74,000 square miles of Florida's lands and waters.

When criminal activity is suspected, officers write a report or call it into FWC dispatch. This information then goes to FWC crime intelligence analysts and is sent to FDLE where the information is reviewed and integrated into existing data.

FWC currently utilizes the FDLE Criminal Justice Standards and Training (CJST) curriculum to train law enforcement officers at the academy on protocols and directives that specify how officers can recognize human trafficking and respond if human trafficking is discovered. To date, none of the FWC officers have taken the 40 hour FDLE advanced investigator training. The FWC regularly disseminates intelligence bulletins about many different matters such as smuggling and other crimes related to human trafficking.

### **Analysis of Needs and Gaps**

The most important need faced by the Fish and Wildlife Conservation Commission is for regular training and information on human trafficking. The many aspects of both law enforcement and other regulatory activities that bring law enforcement and other staff into workplaces makes it

imperative that all understand how to recognize human trafficking and how to respond if trafficking is found or suspected. To the extent that non-sworn staff can observe and report on any other illegal activity, they should be informed and aware so that they, similarly, could recognize and report on suspected trafficking of persons.

The FWC should continue to use the existing basic academy training to educate officers about human trafficking. The FWC also should disseminate intelligence bulletins and news reports about human trafficking, as it does for other law enforcement matters.

FWC could benefit from additional training developed by FDLE on how to increase intelligence functions between agencies to target violations related to human trafficking. Human trafficking training also should specifically cover how human trafficking could be encountered during water, land and air patrol while enforcing Florida's boating safety and fishery laws. Areas where human trafficking could be occurring and not be observed include isolated areas, heavy boating and fishery zones and with luxury yachts or sailing vessels. FWC could also widely share information on the availability of the 40-hour advanced investigator training course on human trafficking offered by FDLE, and the course also could be shared with officers and investigators who in particular should be encouraged to attend. FWC could also explore the opportunity to put the issue of human trafficking on the in-service agenda or include it in web-based training software used by FWC if there is an electronic version of the training.

FWC is an important resource for information that its officers observe and report to FWC dispatch. This is a point where information about human trafficking could supplement the FDLE data base on human trafficking case information. Conversely, FWC crime intelligence analysts receive information from FDLE and other federal, state, and local partners and distribute it to FWC officers.

The FWC should continue to partner with state and federal partners in their community who work on human trafficking. This includes becoming familiar with local anti-trafficking task forces

and coalitions as well as federal and state law enforcement officers who specialize in human trafficking cases. FWC also should be aware of the resources available to assist victims of trafficking in the local and national arenas. For instance, an officer encountering a victim of trafficking would not provide social services, but that officer should know whom to contact and that victims of trafficking are eligible for a range of social services benefits as well as immigration relief. This information can help inform victims of their rights. Human trafficking hotline numbers and resources should be considered as additional information that could be shared with staff and the public statewide. At present, human trafficking is not specifically included in agency protocols or directives that describe what officers and others should do if they suspect human trafficking is present. Current protocols or directives that detail responses to other illegal activity could be evaluated to assess whether human trafficking should be specifically mentioned.

### **Recommendations**

105. The FWC should expand training and outreach activities for officers and staff on human trafficking as well as outreach to the public, where appropriate.
106. The FWC should continue to utilize mandatory CJSTC training to familiarize officers with the crime of human trafficking.
107. FWC officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
108. FWC staff should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
109. FWC staff should all have local and national human trafficking contact information and officers and others throughout the state should build linkages with these local efforts. In particular, many FWC officers who are already active on federal task forces should explore how to include human trafficking in current partnerships.
110. Webmasters at FWC should post human trafficking contact information to the FWC FDLE web page which includes a link to the Department of Children and Families' human trafficking website: <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## Department of Financial Services

### **Background and Observations**

The Department of Financial Services (DFS) has a significant role to play regarding identifying and responding to human trafficking. Like the other agencies of state government, DFS has regular access to workplaces through its inspection and enforcement duties. The two entities who have these responsibilities are the Division of Workers' Compensation, which has civil enforcement authority and the Division of Insurance Fraud, which has criminal enforcement authority.

Division of Workers' Compensation investigators have statutory authorization to enter businesses and jobsite locations statewide to conduct onsite investigations to ensure that employers are in compliance with the workers' compensation law. During the course of the investigation, investigators often question employees directly to ask them about their pay, how long they have been employed, and for identification. The authority DFS has to enforce both criminal and civil law against violators is important and can overlap. For instance, if an investigator from the Division of Workers' Compensation issues a Stop-Work Order to an employer who commits a civil violation of the workers' compensation law, and that employer ignores the Stop-Work Order and continues to operate, that would constitute a third degree felony.

Relevant to the issue of human trafficking, Florida's workers' compensation laws exclude domestic workers, non-construction employers who employ fewer than 4 employees and agricultural employers who employ fewer than six regular or 12 seasonal employees: all areas of work where there have been a number of human trafficking prosecutions in Florida. Violations of the workers' compensation law include making false statements regarding coverage, failure to cover employees, and making deductions from an employee's pay to pay for the employer's required contributions under the law.

The Division of Insurance Fraud enforces the criminal laws of Florida related to insurance transactions. Investigators are certified law enforcement officers with the authority to bear arms and make arrests. It is not far fetched to say that an organized crime operation could include many activities including both insurance fraud and human trafficking. For instance, the Division of Insurance fraud has seen a trend where criminal enterprises stage fake accidents against insured drivers in order to collect benefits. In another example, a criminal could buy an expensive boat, claim that boat is “stolen” and then make a claim on the policy – when in fact that boat has been used by that claimant in a crime to smuggle drugs or people and then is destroyed. Other types of insurance fraud include mortgage fraud and cases where criminals buy “grow houses” and where undocumented persons often work in these houses tending marijuana plants. The home owner in such a case claims ignorance regarding the use of the rental property and seeks to collect insurance – when in fact it is all part of a complex drug crime enterprise. Again, human trafficking could also be present in these cases.

DFS coordinates with federal, state and local authorities including regular participation in federal task forces related to cases involving insurance fraud. At the state level, if there is a violation of another state law, Division of Workers’ Compensation investigators make referrals to other agencies, as appropriate. For instance, a roofer who lacks a roofing license and who is not in compliance with the workers’ compensation law would be reported to the Department of Business and Professional Regulation for violation of its licensing laws.

Division of Workers’ Compensation investigators can encounter undocumented workers during investigations and in the course of their work. When they do encounter undocumented workers, they make a referral to Immigration and Customs Enforcement (ICE).

DFS currently does not have any agency protocols, directives or training materials that are specific as to how employees can recognize human trafficking and respond if human trafficking is discovered. Currently, if illegal activity is discovered or suspected during an inspection, workers’ compensation investigators would notify local law enforcement. To date, workers’

compensation investigators have not encountered human trafficking during the course of their work.

On the criminal side, sworn law enforcement officers within the Department have access to the Florida Department of Law Enforcement human trafficking basic training and advanced investigator 40-hour training curricula. It is not known if any have taken this advanced course.

There are numerous avenues used by DFS to inform and educate employees and the public regarding important issues. These include internal training programs, newsletters, weekly “e-views,” consumer corner/citizen tips, and other venues where DFS distributes information.

### **Analysis of Needs and Gaps**

The most important need faced by DFS is for regular training and information on human trafficking for those employees who could suspect or actually encounter human trafficking. Since special agents, investigators and other staff have significant access to workplaces and criminal activity associated with crimes such as mortgage fraud, this training is a prerequisite to helping them to identify and respond to human trafficking. Information on the availability of the 40-hour advanced investigator training course on human trafficking offered by FDLE should be shared and investigators, in particular, should be encouraged to attend.

Because the very foundation of the employer-employee relationship is clandestine and illegal in human trafficking cases, it is extremely unlikely that the trafficker/employer will be in compliance with workers’ compensation laws. Further, traffickers often give trafficked persons false documents, such as visas, passports and social security cards, which, in turn, they force or coerce the trafficked person to use. This makes possible identification of victims important in these cases: an investigator may be the only person to have access to an employee to ask questions about his or her employment situation. Moreover, if the investigator suspects human trafficking and reports this to the proper authorities, that employee/trafficking victim could be

freed from his or her enslavement as well as be eligible to receive benefits and immigration relief.

Trafficking victims – including children and undocumented persons – are often in dangerous jobs, making injury a likely possibility. If injured and covered under workers' compensation, they too would be eligible to receive benefits, and the failure to pay these benefits could be a crime. Moreover, as DFS staff inspects the records or workplaces, they may be able to identify suspected trafficking, report it to other law enforcement, as well as be active in sharing information about employers with other enforcement entities that are investigating human trafficking. DFS can also proceed with its own investigations and prosecutions of traffickers on the basis of violations that are solely within their statutory purview to enforce: not all human trafficking cases need to be prosecuted as "human trafficking."

In addition, DFS staff around the state should be familiar with those in their community who work to combat human trafficking. This includes knowing about local anti-trafficking task forces or coalitions and being familiar with federal and state law enforcement officers who specialize in human trafficking cases. DFS also should know the resources available to assist victims of trafficking in the local and national arenas.

Human trafficking currently is not included in agency protocols or directives that describe what officers, investigators and others should do if they suspect human trafficking is present. Current protocols or directives that detail responses to other illegal activity could include specific mention of human trafficking and prescribe agency responses such as suggesting that DFS contact with local human trafficking task forces, coalitions and law enforcement officers in their area who are key contacts and experts. In addition, the Department's internal and external media outreach efforts could feature human trafficking.

## **Recommendations**

111. The Department should expand human trafficking training and outreach opportunities for DFS employees whose work might bring them in contact with trafficking situations.
112. DFS should provide local and national human trafficking contact information to its staff and investigators throughout the state, as appropriate to their responsibilities, and encourage staff to build linkages with these local efforts.
113. DFS law enforcement investigators who work in areas where human trafficking could be present should take the FDLE 40 hour advanced course on human trafficking.
114. The agency should explore the ways in which current mandated information on workers' compensation, insurance fraud or any other information which is distributed to the public can be expanded to include information about human trafficking and detail where those who want additional information can go for help and information.
115. Agency communication efforts should feature human trafficking (how to identify it, resources, local efforts, and work done by DFS in conjunction with any successful anti-trafficking prosecutions).
116. The DFS website should include information on human trafficking and links to other key anti-trafficking information. At a minimum it should provide a link to the Department of Children and Families' human trafficking website.  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>.



## Department of Health

### **Background and Observations**

The work of the Florida Department of Health (DOH) is important to Florida's response to human trafficking. DOH administers a vast number of health-related programs, many of which are carried out through its 67 county health departments (CHDs). In fact, the programs administered within DOH are wide-ranging, diverse, and well-positioned to assist victims of trafficking who come into contact with DOH services, staff, or hear its public health messages.

DOH program staff, particularly those in county health departments, is in regular contact with the public. Programs such as Brain and Spinal Cord Injury, Migrant Farmworker Housing, Emergency Medical Operations, Family Planning, Medical Quality Assurance/Health Care Practitioner/Unlicensed Activity Program, Public Health Nursing, Rural Health, Tuberculosis (TB) and Refugee Health, Disease Control/Bureau of HIV/AIDS, Infant Maternal and Reproductive Health, Healthy Start Programs, School Health, and Sexually Transmitted Diseases (STD) Prevention and Control provide onsite services, clinical services, or home visitation. Certified victims of trafficking can receive health care services from CHDs and have received assistance from DOH's Refugee Services program.

The Bureau of Community Environmental Health's Migrant Labor Housing Program is an example of how a human trafficking victim may be identified during routine inspections. CHD inspectors conduct two quarterly inspections on permitted migrant housing establishments, investigate complaints of non-permitted migrant housing, perform exterior and interior inspections, and inspect all rooms in the housing units. The inspectors, because of the location and nature of their job, may be the first ones to observe suspicious activities in a migrant labor camp that may be involved with human trafficking.

The DOH has been an active member of the Statewide Human Trafficking Task Force and has mobilized internally to develop an action plan to implement greater awareness and integration

of human trafficking into its policies and programs. Many DOH and CHD staff and employees have received training and information concerning human trafficking through a variety of programs offered statewide and locally for DOH staff and surrounding CHDs. These opportunities help staff to learn about human trafficking and provide a foundation for each program office to be able to build in specific information relevant to its work and mission.

An example of integrating human trafficking education into health care Continuing Medical Education (CME) requirements has been demonstrated by the Florida Medical Association (FMA) who incorporated human trafficking into a two hour mandated domestic violence training. DOH was instrumental in moving this initiative forward.<sup>24</sup> Physicians are able to fulfill the education licensure requirement for domestic violence while learning about human trafficking. To date, this is the only example of a formalized integration of human trafficking into statutorily-mandated health care professional domestic violence education in Florida. Other health care professionals who are required to obtain domestic violence education as a condition of licensure and re-licensure include nurses, psychologists, licensed clinical social workers, dentists and dental hygienists.

DOH currently does not have any agency protocols, directives or training materials relevant to each program office's mission that are specific as to how staff can recognize human trafficking and respond if human trafficking is discovered.

### **Analysis of Needs and Gaps**

In county health departments (CHDs), in general, there is a need for increased information about how to recognize and assist victims of trafficking, most of whom lack access to any regular health care. An undocumented immigrant could potentially be a victim of trafficking, who, with assistance from the appropriate resources, could apply for health care services.

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<sup>24</sup> The resulting curriculum, completed in February 2010, can be found at <http://www.fmaonline.org/uploadedFiles/CME/files/domviolence.pdf>.

Many DOH-administered programs afford opportunities for staff to come in contact with trafficking victims, offer assistance or information and alert authorities. For example, one CHD reports having coordinated with the local sheriff's office on human trafficking cases, and has seen and treated Eastern European and Russian women who were trafficked to Florida. There are many other instances of CHD staff having come into contact with non-U.S. citizens (some of whom are undocumented and non-English speaking) as well as a number of U.S. citizens who may be trafficking victims. DOH staff can benefit from general information relating to human trafficking, much of which is available on existing websites. The U.S. Department of Health and Human Services also offers free posters, pamphlets and other key materials, many of which could be obtained by CHDs and other relevant DOH programs at no cost.<sup>25</sup> This general information should be complemented with information and training specifically tailored to the program's mission and priorities. Its current action plan takes the first step toward acquainting the program areas within the DOH with basic and general information about human trafficking.

Some DOH and CHD employees make home visits that can provide an ideal opportunity for detecting victims of human trafficking. For instance, one CHD staff person who made Maternal and Child Health Quality Improvement visits suspected human trafficking on a home visit, alerted the local law enforcement, and the traffickers were arrested. Similarly, there are other DOH and CHD staffs, including inspectors and field workers who focus on contagious diseases, who are providing hands-on work in the field and could potentially be trained to identify and respond to human trafficking. Those who are educated can also become educators – so, for instance, an immigrant woman who is not trafficked, but receives a visit from a home health care nurse who talks to her about trafficking, can share information with others in her community who may be victims.

Training, awareness, and information on whom to contact when staff suspect human trafficking, both internally and outside the agency, however, is needed. Therefore, CHDs and relevant DOH programs should consider incorporating the topic of human trafficking into

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<sup>25</sup> <http://www.acf.hhs.gov/trafficking/>

existing training as well as to incorporate information into agency protocols or directives as to how staff can recognize human trafficking and respond if it is suspected or discovered.

### **Recommendations**

117. DOH should identify, obtain, and distribute culturally appropriate public health messages, educational materials, radio and television Public Service Announcements (PSAs), posters and flyers on human trafficking that are relevant to department programs. (CHDs should be able to access and obtain this information.)
118. CHDs should post information on human trafficking in appropriate multiple languages wherever the public sees public health messages in their facilities. In addition, CHD staff, where appropriate, should receive training on how to recognize human trafficking and respond appropriately.
119. DOH should identify or develop articles on human trafficking and include them in newsletters and publications.
120. DOH should develop agency policies and train staff on what to do if human trafficking is suspected.
121. DOH should provide local and national human trafficking contact information to County Health Departments, staff, and contractors, and encourage partnerships and collaborations to support local and state anti-trafficking efforts.
122. DOH should encourage health care providers to be trained on human trafficking.
123. DOH should consider including patient screening questions to identify human trafficking and when trafficking is suspected, refer to appropriate resources.
124. DOH should include human trafficking information on its website, including a link to the Department of Children and Families human trafficking website URL <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## Department of Juvenile Justice

### **Background and Observations**

The Department of Juvenile Justice (DJJ) has a wide range of responsibilities and initiatives regarding Florida's youth. Many of these responsibilities may impact, or be impacted by, human trafficking. Programs of DJJ include Prevention and Victim Services Detention Services, Residential Commitment Services, Detention, Probation and Community Intervention, Education, and Health Services.

The Department's prevention services reached over 29,000 youth during FY 2008/09 through programs such as the PACE Center for Girls and Outward Bound Discovery. Regarding Detention Services, over 1,800 officers at over 26 detention centers regularly come in contact with youth under the age of 18 who are arrested by law enforcement. Several PACE Center programs have become active in participating with local anti-trafficking task forces and coalitions as well as incorporating awareness and prevention programming on human trafficking into their curricula.

During FY 2008/09 there were almost 47,000 admissions into juvenile detention. When arrested, youth are evaluated by the DJJ to determine if they should be detained. Detention screening is performed at Juvenile Assessment Centers (JAC) or by juvenile probation staff. Like those in the Probation and Community Intervention unit, screeners at the JACs and detention officers could come in contact with minor victims of trafficking or with minors who are traffickers themselves. A minor might be arrested for prostitution, retail theft, or a host of other crimes that are linked to his or her status as a victim or perpetrator of trafficking and it is important that those who are assessing and dealing with these youth be able to detect whether this is the case. JACs do not have specific intake screening questions regarding human trafficking.

In addition to detention, DJJ staff and its contract providers counsel and work with youth in residential programs such as runaway shelters and probation and community intervention programs. As is true for many other programs, runaway shelters may include in their populations both victims of trafficking and traffickers themselves. Shelter residents can include gang members, too. This is relevant to trafficking, as law enforcement reports that human trafficking by gangs is growing. Traffickers both within and outside of these programs can also threaten victims who are trying to escape a trafficking situation. These residential programs do not have specific intake questions and limited staff have been trained to be able to identify whether a minor is a victim of trafficking or at risk of being trafficked.

The Department also has extensive educational programming and works with the Department of Education, local school boards and juvenile justice providers to provide education to youth. Over 13,500 students received education through these programs and coordinated efforts last year. As is true of non-DJJ related schools, the classroom can provide prime opportunities to give children information about the dangers of human trafficking.

The Department works in communities across Florida with the Department of Children and Families, local law enforcement and other community partners. Very often, children seen by DJJ have also been involved with DCF and law enforcement. They may have been in DCF custody and run away from a foster care family due to abuse. Florida lacks facilities and programming geared to help trafficked youth, particularly those who are victims of domestic minor sex trafficking.

### **Analysis of Needs and Gaps**

One of the most significant needs faced by DJJ is for education and training of both DJJ staff and DJJ contractors. For instance, if a minor is a victim of trafficking and has been forced to commit a crime or induced to perform a commercial sex act, that child should be identified by those within the system, such as staff of the Juvenile Assessment Centers and Probation, and given appropriate assistance. These youth should neither be prosecuted nor punished for acts

committed while trafficked because those acts were coerced by the traffickers. DJJ could benefit from training in human trafficking so that they can fully understand the dynamics of human trafficking, the trauma and situations faced by trafficked minors and know how to work within their communities to assist them. DJJ should develop and implement specific intake questions that allow staff (and DJJ providers) to be able to assess whether a child is a victim of trafficking. DJJ should also be fully aware of the range of specific services and benefits available to non-U.S. citizen youth who are trafficked as well as what is available to help U.S. citizens.

Children who are in DJJ programs, such as runaway and homeless youth shelters, usually lack strong community ties and support and so are extremely vulnerable to trafficking. Law enforcement and many others report that large numbers of these children are also under supervision of the state already as they are very often victims of abuse and neglect. If, for instance, a young girl is running away from an abusive stepfather, she is likely to be extremely vulnerable to the promises made by a pimp/trafficker and become trafficked by that pimp. Coupled with a history of violence and abuse from an early age is often drug use and addiction – another vulnerability that is exploited by a trafficker. The severe trauma that youth who are trafficked usually suffer should be understood by Department staff and contractors – particularly counselors – who work with these youth.

DJJ has many programs geared to prevention, and these programs should include information on human trafficking and, where appropriate, staff should be trained to sensitively ask questions so they can determine if a child is a victim of trafficking. Additionally, training young people as well as staff is important to preventing human trafficking. “Life skills” training on human trafficking that is taking place at programs such as the Girls Advocacy Program (GAP) or at PACE Centers for Girls should be continued and expanded so that all of these kinds of prevention and educational efforts include information on human trafficking. Prevention and intervention training should also focus on such matters as how gangs seek out young and vulnerable minors, particularly girls, and force them into prostitution. Those gangs have begun

to be active in human trafficking is relatively new and it is incumbent upon anyone whose work brings them into contact with gangs to understand human trafficking.

The number of victims of trafficking in general is hard to assess, and this is especially true of minors who are trafficked. DJJ should evaluate and make internal recommendations as to how this agency can better track human trafficking victims who come within DJJ's jurisdiction.

Staff at DJJ and its many allied contractors and providers currently do not have needed information on what their responses should be if they encounter human trafficking in their work. They need to know what other government agencies are doing, where they can seek assistance, and whom to call if they have questions. They also need to know about local, state and national anti-trafficking efforts and how to form linkages with them.

Relatedly, DJJ collaborates with law enforcement throughout Florida but it is unclear the extent to which collaboration occurs on human trafficking cases. In some areas, Juvenile Assessment Centers include juvenile justice and law enforcement agencies in collaboration agreements. DJJ also collaborates with FDLE specific to gangs, Department of Children and Families on interagency issues, Department of Education on juvenile justice education issues, Agency for Persons with Disabilities on children of mutual concern and the Agency for Workforce Innovation on workforce related issues. Knowing what other state agencies are doing or could do around human trafficking also would be helpful to DJJ's efforts. Additionally, it is important for DJJ staff who works with youth to be aware of their local community human trafficking task forces, coalitions and other initiatives.

DJJ recently trained some staff on human trafficking at its headquarters where trainers shared The Department of Children and Families' (DCF) training materials and other documents such as an Operating Procedure, Child Trafficking Indicator Tool and Information Kit. A Legal Best Practices Manual for the Protection of Children Victims of Human Trafficking was also presented and is available for DJJ legal and other justice-system staff. These tools, while



developed for DCF, might be easily used or adapted by DJJ to assist its staff and help those youth in its care.

### **Recommendations**

125. DJJ staff and private providers who provide counseling and are working with youth should receive training so that they can understand human trafficking and how to recognize it among the population they are helping.
126. All “life skills” training and any other relevant prevention programming that is taking place at programs such as the Girls Advocacy Program (GAP) or at PACE Centers for Girls should be supplemented with human trafficking information.
127. Contract monitors and the Department’s Quality Assurance program should include human trafficking on their monitoring instruments to make sure human trafficking is looked for at every given chance. This disclosure, if revealed to a counselor, should immediately provide any young person who is trafficked with additional help including referrals to assist with immigration rights and other benefits to which victims of trafficking are entitled.
128. Shelter staff and other key staff who house and work with youth should receive safety planning training because the safety of youth and staff at residential and non-residential programs is also at risk due to human trafficking.
129. DJJ should consider the development of programs and residential facilities that are geared to assist minors who are victims of sex trafficking. Legislative initiatives such as the “Safe Harbor Act” should be evaluated and implemented.
130. DJJ should add data collection fields to be able to track the numbers of human trafficking related cases in DJJ and to assess demographics so that more can be done to effectively help these youth. (Other data elements could include when a case was discovered to be human trafficking as well as when and how a minor is likely to disclose information.)
131. Local providers and DJJ staff should contact their local anti-trafficking task forces, coalitions and others in their area who are collaborating on human trafficking issues.

132. DJJ should work with other state and local agencies to add “human trafficking” to their regular meeting agendas, cross-train where needed and identify specific partners they would contact when a case arises.
133. Regarding the work of the “Children’s Cabinet” DJJ should join with other agencies and make human trafficking of children a priority issue area for attention and reform.
134. DJJ should evaluate the training tools and other materials that DCF has developed on human trafficking to see if they might be adapted for DJJ.
135. DJJ should require that all minors who are admitted to any DJJ runaway or homeless youth facility be screened at intake for human trafficking.
136. JACs should develop screening and intake criteria for children who are admitted to their facilities.
137. DJJ should add human trafficking to its website information and link with the DCF Statewide Human Trafficking website:  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>

## Department of Law Enforcement (FDLE)

### Background and Observations

The Florida Department of Law Enforcement provides services in partnership with local, state, and federal criminal justice agencies, in order to prevent, investigate, and solve crimes throughout Florida. It maintains seven Regional Operations Centers and Crime Laboratories, through which it delivers investigative, forensic, and information system services to Florida's criminal justice community.

As Florida's statewide law enforcement agency, FDLE has played a leading role in efforts to combat human trafficking here. The caliber of FDLE's efforts and leadership has already been discernible in a number of vital areas:

- FDLE has created not only the basic academy training on human trafficking for all Florida law enforcement recruits but also a 40 hour advanced investigator training. The latter advanced training yielded almost immediate results when a Pinellas County Sheriff's officer completed it and within two weeks launched an investigation that led to one of Florida's first sex trafficking cases to be prosecuted under its state law.
- FDLE personnel proved essential in connecting what began as separate sex trafficking investigations in Tallahassee and Clearwater. Recognizing the criminal *modus operandi* that was common to both sex trafficking conspiracies, FDLE provided critical resources in the joint investigation that led to federal criminal convictions of the Colombian perpetrators in the *Melchor* and *Monsalve* cases.
- Telephone records and FDLE phone analysis proved crucial in demonstrating to the federal jury in the *Melchor* case that the criminal incidents in question were not merely a local prostitution venture (as the defense claimed) but rather a sex trafficking scheme

that spanned several states and foreign countries, in which immigrant women were lured to Florida for sexual exploitation.

- An FDLE officer continues to serve fulltime as a member of the Tampa-Clearwater Human Trafficking Task Force. Recognized nationally as a model Task Force that brings together federal, state, and local law enforcement officials with non-governmental service providers, the Tampa-Clearwater Task Force has investigated trafficking crimes that have involved both immigrant and U.S. citizen victims.
- FDLE Commissioner Gerald Bailey co-chairs Florida’s first Statewide Human Trafficking Task Force.

Three of FDLE’s programs are particularly vital to Florida law enforcement efforts to combat human trafficking:

Through its **Criminal Investigations and Forensic Science** Program, FDLE provides criminal laboratory and investigative services throughout the state. As the agency tasked with coordinating multi-jurisdictional and special criminal investigations, FDLE plays a crucial role in investigating Florida human trafficking operations—almost all of which by definition cross and transcend the jurisdictional boundaries of local and county law enforcement agencies. FDLE’s multi-jurisdictional investigative mandate is one of the principal strengths that the agency brings to Florida’s anti-trafficking efforts.

Forensic evidence is of tremendous importance in trafficking prosecutions in order to corroborate the testimony of victim witnesses, and FDLE’s expertise and capabilities in this area are of great importance to the successful prosecution of trafficking cases. Because increasing numbers of trafficking cases involve organized crime, FDLE’s experience in pursuing RICO (Racketeer Influenced and Corrupt Organization) cases is also vital. In general, FDLE resources

and investigative experience are crucial in the investigation of intricate cases and for dismantling extended criminal organizations such as trafficking rings.

Intelligence-led policing is the foundation of FDLE operations. The agency's Office of Statewide Intelligence (OSI), housed in the Investigations and Forensic Sciences Program area, exercises a key role in combating trafficking. OSI coordinates FDLE's intelligence functions through the fusion of information and intelligence used in support of criminal investigations. It completes strategic assessments of emerging crime trends, and through its InSite system maintains secure statewide databases containing intelligence information on violent crimes, gangs, narcotics, etc. Access to InSite is provided at no cost to all Florida law enforcement agencies and is located on CJNET, a secure law enforcement only web-based site.

Because InSite provides authorized law enforcement officials with active criminal intelligence and active criminal investigative information, it is the optimal means for the exchange of human trafficking intelligence between law enforcement agencies throughout the state. The Violent Crime Module of InSite includes human trafficking as a crime sub-type and can be utilized to document human trafficking intelligence/information without further amendment

FDLE's **Criminal Justice Information** Program comprises another important tool that the agency brings to the anti-trafficking field. A vital element of the Criminal Justice Information Program is the clearinghouse that FDLE maintains of missing children information. Called the **Missing Endangered Persons Information Clearinghouse**, this division of FDLE tracks the estimated 50,000 incidents of missing children that are reported to Florida law enforcement agencies each year. Given the vulnerability especially of U.S. citizen runaway and throwaway children to domestic sex trafficking, this Clearinghouse represents a tremendously important Florida tool for combating trafficking. The information collected and disseminated through this clearinghouse is accessible not only to Florida law enforcement officials, but also to public and private organizations and to the Florida general public. It therefore represents a key means for

heightening public awareness about human trafficking in general, and domestic minor sex trafficking in particular.

FDLE's **Criminal Justice Professionalism** Program promotes the competency and professional conduct of Florida's criminal justice officers. It works with Florida criminal justice agencies to provide entry-level and in-service officer training through the development of law enforcement training curricula. FDLE's Florida Criminal Justice Executive Institute and its Leadership Center provide additional training to criminal justice executives and managers on contemporary law enforcement issues.

Under the aegis of the Criminal Justice Professionalism Program, FDLE has already created an excellent introductory unit on human trafficking for all Florida Law enforcement recruits, as well as a very comprehensive 40 hour advanced investigator course. FDLE has superb resources and capabilities in this area, which make it the obvious choice to create an additional in-service training component on human trafficking for Florida law enforcement officers who are neither recent recruits nor investigators.

### **Analysis of Needs and Gaps**

The leading role that FDLE has already assumed in Florida anti-trafficking efforts could be strengthened and enhanced in a number of ways.

State and local law enforcement agencies should be made aware that the Violent Crime Module within FDLE's Statewide Intelligence System (InSite) already includes human trafficking as a crime sub-type. Training on the use of InSite is offered free of charge, and several levels of access (including read-only and full access) are available to local law enforcement agencies throughout Florida. The system already has the capability of centralizing much of the information that local law enforcement officials have noted is crucial for successful trafficking investigations: the names and aliases of suspected perpetrators, license plates of vehicles suspected of being used in human trafficking operations, cell phone or landline telephone

numbers under investigation, and businesses with suspected links to traffickers. Since the inception of InSite in 2005, trainings have been conducted in each of the seven FDLE regions throughout the state. These ongoing trainings on the use of InSite could include a particular focus on the system's capabilities for investigating and tracking human trafficking conspiracies.

A statewide gap appears to currently exist in the training of Florida law enforcement officials on human trafficking indicators and first response options. Recruits since 2007 have received such training, and investigators who have opted to take the advanced 40 hour training have even more in-depth knowledge of the crime. However, the vast majority of Florida law enforcement officers have not undergone any training on human trafficking (unless such training was facilitated by their local agencies or through the Florida Regional Community Policing Institute in St. Petersburg). Closing this gap should be a high priority for Florida. FDLE is ideally situated to do so, and could create both a short roll call training video in addition to an online training of four to eight hours that would focus on how an officer on the street might recognize human trafficking, along with information on who should be contacted (both in law enforcement and the service provider community) when cases are identified. Curricula that are currently in use throughout Florida for training law enforcement officers should furthermore be assessed and standardized, and should include information and case studies on domestic minor sex trafficking.

FDLE should ensure that its agents and investigators complete the 40 hour human trafficking training course. The substance and nature of crimes investigated by FDLE make it likely that its agents will encounter cases where human trafficking could be present. In addition, non-sworn staff who work in criminal intelligence, with the Missing Endangered Persons Information Clearinghouse, or other sections of FDLE that deal with violent or organized crime should also receive training on human trafficking.

FDLE's Missing Endangered Persons Information Clearinghouse represents an important tool that should be used to combat the commercial sexual exploitation of children. As a website

accessible to the Florida public, it has tremendous potential for enhancing the awareness of Florida's citizens about domestic minor sex trafficking trends. No such section or link currently exists on the Clearinghouse website, and one should be developed.

Given FDLE's statewide base of operations, it brings unparalleled expertise and resources to Florida's anti-trafficking operations. In recent years, the federal government has implemented a nationwide campaign to counter human trafficking by the formation of local anti-trafficking task forces and coalitions, a number of which operate in Florida. The participation of an FDLE agent assigned to the Tampa Clearwater Task Force has been a vital part of its success. While limited financial resources would most likely not allow the fulltime assignment of an FDLE officer to every Florida Task Force, an FDLE officer serving as a point of contact for each task force or coalition would still be a critical contribution to statewide efforts.

A final area of need in Florida law enforcement policy regards the question of how domestic minor sex trafficking victims are to be treated under Florida law. A 2008 change in Section 796.035 of the Florida Statutes removed the previous requirement that minors demonstrate that someone used force, fraud, or coercion against them to induce them to participate in commercial sex. By removing the "force, fraud, or coercion" requirement, the Florida Legislature brought state law into conformity with federal anti-trafficking law. Both federal and Florida law now regard minors who have been sold or transferred by a third party into prostitution or stripping as victims rather than criminals. Any parent, legal guardian, or person having custody or control of a minor who facilitates their prostitution is now deemed a sex trafficker.

This change in the law keeps open the possibility that minors engaged in commercial sex but whose actions have not been facilitated by a pimp, procurer, or third party are still liable for their actions. In any situation where their participation in prostitution has been induced by a third party, however, Florida law now regards them as victims.



How Florida law enforcement policy should reflect this legal change is still being discussed and debated. FDLE is an important voice in this policy discussion, and should remain a party to the discussion. In general, Florida needs to explore alternatives to traditional incarceration for domestic minors engaged in commercial sex, especially those not deemed to be chronic offenders.

### **Recommendations**

138. Continue to promote trainings on the InSite intelligence database system that will allow local law enforcement agencies throughout Florida to share intelligence information regarding statewide trafficking trends and investigative information.
139. Devise and implement an online training curriculum on human trafficking that would become a part of the required ongoing training for all active duty Florida law enforcement officers. Such training could comprise a one-time requirement for active officers, and should focus on trafficking indicators, follow-up options for first responders, and information about trafficking victim assistance resources throughout Florida.
140. Create a link or section on the Missing Endangered Persons Information Clearinghouse website regarding domestic minor sex trafficking in Florida, explaining its frequent link to runaway and throwaway children.
141. Designate an FDLE point of contact with each of Florida's task forces and coalitions that have formed in response to human trafficking, so as to become aware of local resources and service providers available to trafficking victims.
142. Ensure that FDLE investigators complete the advanced 40 training on human trafficking.
143. Track human trafficking crimes in Florida through arrest data, much as the agency does violent crime, drug trafficking, gang activity, etc. Effective data collection in this area will likewise require that charges lodged by arresting officers include references to human trafficking.

144. Continue to assist in the formulation of policy that will explore alternatives to traditional incarceration for domestic minor sex trafficking victims whose participation in commercial sex has been facilitated or induced by a third party.
145. Post human trafficking contact information on its website that includes a link to the Department of Children and Families' website  
[http://www.dcf.state.fl.us/initiatives/human trafficking/](http://www.dcf.state.fl.us/initiatives/human%20trafficking/).

## Department of Highway Safety and Motor Vehicles

### **Background and Observations**

The Department of Highway Safety and Motor Vehicles (DHSMV) has a very important role to play regarding identifying and responding to human trafficking, particularly as this agency includes the Florida Highway Patrol (FHP). FHP's duties, as they extend to Florida's highways and highway rest stops, place troopers at the forefront of being able to detect criminal activity, particularly in those arenas. The Florida Highway Patrol is one of four divisions within DHSMV, which also consists of the Divisions of Driver Licenses, Motor Vehicles, Administrative Services and an Information Systems Administration. Through its law enforcement role performed by FHP, DHSMV and with the vast majority of county tax collectors who issue Florida driver licenses and registrations and titles for vehicles, vessels and motor homes, can assist in promoting awareness of important issues facing Floridians by posting materials in their licensing offices.<sup>26</sup>

The Florida Highway Patrol is divided into 10 Troops statewide. FHP's Patrol Operations Command is responsible for day-to-day law enforcement activities that include the Bureau of Investigations, Office of Domestic Security and Intelligence and Contraband Interdiction Program. The Bureau of Investigations conducts investigations on a wide range of criminal activities including auto and cargo theft, driver license fraud, identity theft, title fraud, odometer fraud, as well as assisting members of the patrol investigating crimes committed on the highways or within rest areas. The FHP conducted an estimated 56,199 investigations in 2007-08.<sup>27</sup> The Patrol Operations Command works closely with local, state, and federal law enforcement agencies and is responsible for overseeing activities related to homeland security in response to domestic security concerns related to the mission of the agency.

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<sup>26</sup> The DHSMV function in issuing driver licenses is transitioning to local county tax collectors and all but two Florida counties will be undertaking this responsibility. Therefore, the observations and recommendations relating to public awareness activities at drivers license offices apply to either local tax collectors or the DHSMV, depending on where the licenses are being issued.

<sup>27</sup> <http://www.flhsmv.gov/html/FactsFiguresFY2006/PerStaFHP.htm>

Other day-to-day law enforcement activities include directing the movement of traffic on state highways and apprehending fugitives from justice, conducting patrol and enforcement of traffic laws and responding to and investigating crashes. FHP has direct responsibilities for all rest areas within the State and staffs sixteen rest areas, as well as all of the service plazas on the Florida Turnpike 4PM - 8AM daily. The remaining rest stops are staffed from 4pm – 8am by private security firms.

FHP troopers have previously encountered human smuggling operations and participated in smuggling investigations. Addressing the smuggling of undocumented people has been a focus for the FHP. In these cases, FHP works with local law enforcement and federal Immigration and Customs Enforcement (ICE). The FHP has approximately 1,685 sworn officers with full police powers and statewide jurisdiction. These officers receive a 30 week basic training at the FHP academy, which does include mandated training on human trafficking. To date, none of FHP's officers have received the advanced FDLE 40 hour training for investigators in human trafficking.

FHP troopers receive periodic notice to attend specialized training on topics that are relevant to their duties, such as recent announcements of training offered by ICE on smuggling. When on-duty, troopers are constantly on the move patrolling Florida's highways and responding to calls, making it difficult to attend lengthy training programs on line or in person. The most effective training tools are brief electronic presentations that include factual information about real or recent cases and that can be viewed and absorbed by officers during breaks. FHP officers do not have "roll call" opportunities for training. They stay in contact via laptop computers mounted in their vehicles. FHP often uses its internal training website to facilitate reaching Troopers in an expeditious manner. Human trafficking has not been a specific subject for training to date, although some officers have taken a number of training programs on human smuggling. It is possible that prior smuggling cases that Troopers have investigated may have been human trafficking cases but had not been recognized as such.

DHSMV no longer employs victim advocates and so coordinates with victim advocates who are part of local law enforcement offices. The FHP regularly disseminates criminal intelligence bulletins about a wide variety of matters including smuggling and other crimes related to human trafficking.

### **Analysis of Needs and Gaps**

The most important need faced by the FHP is for training and information on human trafficking. Both Florida's highways and rest stops are places where traffickers and victims could be detected. In particular, sex trafficking occurs at rest stops where truckers seek out prostitutes. Rest areas also are places where traffickers allow victims to use the facilities. Troopers who are posted at these rest stops or who pull over a suspicious vehicle must be able to detect the signs that victims of trafficking may be in that vehicle. Private security firms who work at the majority of Florida's rest stops should also receive training and information on how to detect and respond to human trafficking in these areas. Current cooperative partnerships between FHP and federal, state and local law enforcement are central to the investigation and prosecution of human trafficking cases just as they are with the wide range of other criminal matters investigated by FHP.

The FHP should continue to use the Florida Department of Law Enforcement's (FDLE) existing Criminal Justice Standards and Training basic academy instruction to educate officers about human trafficking. Troopers could benefit from additional training developed by FDLE on how to increase intelligence functions between agencies to target violations related to human trafficking. Human trafficking training also should specifically cover how human trafficking could be encountered during routine traffic stops, drug and smuggling interdiction, at highway rest stops and during investigations of other criminal matters. FHP could also disseminate information on the availability of the 40 hour advanced investigator training course on human trafficking offered by FDLE and encourage officers within the Bureau of Investigations to attend. FHP should also work with ICE, FDLE and others to develop electronic training programs that highlight actual human trafficking cases, comparing and contrasting them with smuggling, and

detail how law enforcement and troopers could encounter and detect trafficking. The FHP officers that observe and report human trafficking could report this information to dispatch and supplement the FDLE human trafficking data base by filing incident reports.

The Florida Highway Patrol should become familiar with and continue existing collaborations with local, state and federal partners in their community who work on human trafficking. This includes establishing professional relationships with local anti-trafficking task forces and federal and state law enforcement officers who specialize in human trafficking cases. The FHP also should be aware of the resources available to assist victims of trafficking in the local and national arenas. For instance while an officer encountering a victim of trafficking would not be qualified to provide social services, that officer should know whom to contact and be aware that victims of trafficking are eligible for a range of social services benefits as well as immigration relief. Human trafficking hotline numbers and resources should be shared with staff and the public statewide. Human trafficking currently is not specifically included in agency protocols or directives that describe what officers and others should do if they suspect human trafficking activity. Current protocols or directives that detail responses to other illegal activity could be evaluated to assess whether human trafficking should be specifically mentioned.

Offices (whether within DHSMV or those of the local county tax collector) that issue driver licenses, registrations and titles for vehicles, vessels and motor homes should post human trafficking awareness information for use by their employees and the public. This multi-lingual information can be obtained free of cost<sup>28</sup> and will allow the members of the public – and people who may be trafficked or suspect a friend or family member is at risk – to learn about human trafficking and the resources that are available to assist victims.

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<sup>28</sup> <http://www.acf.hhs.gov/trafficking/>

## **Recommendations**

146. The DHSMV should expand human trafficking training for the Florida Highway Patrol.
147. The FHP Office of Domestic Security should focus a portion of their intelligence collection and dissemination efforts on human trafficking issues.
148. FHP officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
149. FHP should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
150. Private security firms who work at the majority of Florida's rest stops should receive training and information on how to detect and respond to human trafficking in highway rest stop areas.
151. The DHSMV should have all local and national human trafficking contact information available for its local staff and FHP officers and others throughout the state should build linkages with these local efforts. In particular, FHP officers who are already active on federal task forces should explore how to include human trafficking in current partnerships.
152. Offices of the DHSMV and local county tax collectors that issue driver licenses or registrations and titles for vehicles, vessels and motor homes should obtain and post human trafficking awareness information.
153. Human trafficking contact information should be posted electronically to the DHSMV web page to be readily available to officers and a link to the Department of Children and Families' human trafficking website:  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/> should be added so that the latest information on human trafficking in Florida is available both internally and to the public who visit this site.

## **Florida Commission on Human Relations**

### **Background and Observations**

The Florida Commission on Human Relations (FCHR) enforces Florida law in the areas of employment discrimination based on race, color, religion, sex, disability, national origin, age and marital status; and discrimination in housing based on race, color, national origin, sex, disability, religion and familial status. Since 1969, when the Commission was established, state and federal laws extended the jurisdiction of the Commission from a community relations-based agency to include enforcement responsibilities. The Commission can investigate and resolve employment discrimination complaints of employment both administratively and in court. The Commission also has jurisdiction to enforce Florida's Whistle-blower's Act which protects state employees from retaliation when they disclose actual or suspected violations. The Commission's work in the community is important as it fulfills its mission to "...promote mutual respect among groups through education and partnerships." According to its FY 2008/09 Annual Report, the Commission has investigated and closed more than 74,000 cases and has negotiated close to \$13 million in settlements for more than 1,500 people through its mediation services since 1969. The Commission's work in both the areas of enforcement and community education and relations is significant to human trafficking; although to date human trafficking cases have not been part of the Commission's workload.

The Commission currently features a link to the Florida Task Force on Human Trafficking on its website and a letter to the editor from one of its commissioners raising awareness about human trafficking. The Commission sees efforts to combat human trafficking as important to its mission and is attempting to integrate it into current programming: a difficult task in light of recent and persistent budget reductions.

### **Analysis of Needs and Gaps**

There are a number of places where the work of the FCHR and human trafficking intersect. Clearly, workplace sexual harassment is common, particularly for women who are trafficked:



the U.S. Special Ambassador on Human Trafficking Luis CdeBaca said recently that practically any woman who is trafficked is also likely to be a victim of sexual violence. For instance, even if the female worker is picking tomatoes, she is likely also being raped by the crew boss. Non-U.S. citizen workers are often taken advantage of by employers who also discriminate against them on the basis of their national origin. Because these workers are undocumented, it is harder for them and less likely that they will pursue relief, even though their rights as workers are enforceable regardless of their immigration status. One case provides an excellent illustration of the intersection of employment discrimination and human trafficking. As stated in the press release by the U.S. Equal Employment Opportunity Commission (EEOC):

In a significant legal victory for the U.S. Equal Employment Opportunity Commission (EEOC), a federal judge has ordered John Pickle Company, Inc. (JPC) and its president, John Pickle, to pay \$1.24 million to 52 male victims of national origin discrimination and “human trafficking” who were recruited from India as skilled laborers and then subjected to widespread abuse, intimidation and exploitation.<sup>29</sup>

Further, if workers are victims of trafficking, and identified by Commission staff, they could be referred to any number of local, state and federal agencies and non-governmental organizations for assistance and could be eligible to receive a range of federal assistance, including immigration relief.

Therefore, the most important need faced by the Commission is to receive regular training and information on human trafficking. Since the Commission staff and specialists hear complaints from workers as part of their mission, this training is important to their being able to identify and respond to human trafficking.

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<sup>29</sup> <http://www.eeoc.gov/eeoc/newsroom/release/5-26-06.cfm>

An employer that is exploiting workers and violating the laws in the areas covered by the Commission could well be an employer who carries exploitation to the extreme of human trafficking. Increasing resources to Commission staff who conduct community outreach and education about workplace rights would help the public and workers feel safer and more informed, as well as be a way to bring traffickers to justice.

In addition, Commissioners and staff should be familiar with those in their community who work on human trafficking. This includes knowing about local anti-trafficking task forces, coalitions and being familiar with non-profit organizations that assist victims of trafficking and provide legal assistance for trafficked persons. Commissioners and staff should also know federal and state law enforcement officers who specialize in human trafficking cases and be aware of resources that are available to assist victims of trafficking in the local and national arenas.

Awareness efforts also can extend to the workplaces and the members of the public where the Commission does its community education work. The Commission could begin to incorporate human trafficking statistics and resource information into the materials and electronic information they currently provide. This effort has already begun with information on their website. Clearly, human trafficking hotline numbers and resources should be considered as additional information that could be shared with workers statewide.

Agency training materials or directives do not currently contain information that describes what staff might do if they suspect human trafficking is present. Current protocols or directives could be supplemented to include specific mention of human trafficking and prescribe responses. It might be that, in some cases, human trafficking itself will constitute discrimination and could be the first remedy a victim or an advocate on behalf of that victim, might pursue, particularly if law enforcement is not responsive.

## **Recommendations**

154. The Commission should expand training and outreach opportunities for staff and brainstorm how human trafficking can part of cases of employment discrimination, such as discrimination on the basis of national origin.
155. The Commission should provide local and national contact information about anti-trafficking organizations and their points of contact to staff throughout the state and encourage them to build linkages with these local efforts.
156. The agency should explore the ways in which current mandated information on employment rights which is distributed or posted at work sites can include information about human trafficking and places workers can go for help and information.
157. Commission communication efforts should continue to feature human trafficking (how to identify human trafficking, resources, local efforts, and work done by other similar organizations such as EEOC in conjunction with successful anti-trafficking prosecutions).
158. The Commission's website should continue to feature information on human trafficking and links to other key anti-trafficking information.

## Strengthening Social Services for Trafficked Persons

### Introduction

People who are trafficked have endured a great deal of trauma and have a range of services needs. These survivors of trafficking have suffered greatly at the hands of their traffickers and many were vulnerable and victimized prior to their being trafficked. This is true of victims who are non-U.S. citizens as well as U.S. citizen victims of trafficking.

A survivor of human trafficking, once found and identified, requires assistance from a variety of different social service providers.<sup>30</sup> A wide range but extremely limited number of Florida organizations provide services specific to trafficking victims that include: legal representation, safe emergency and longer-term housing, case management, access to health care, public

Two Kinds of Certification for Victims of Trafficking:

- 1) HHS Certification
- 2) I-914B Certification

benefits, job skills and training, transportation, financial literacy, education, cultural competency, and language training.<sup>31</sup>

The vast majority of these organizations also offer services that assist non-trafficked

persons. For example, homeless shelters that serve the community as a whole and provide housing and other services also can shelter victims of trafficking, and legal services organizations that represent the poor also assist trafficked persons. Additionally, some of these service providers may focus exclusively on individuals born or naturalized in the United States, while others will work with victims who are non-U.S. citizens.<sup>32</sup> All of these organizations may differ but their goal is the same: to provide the best assistance possible.

To understand the service provision to victims of trafficking, it is important to recall that the federal Trafficking Victims Protection Act (TVPA) provides that adults can receive social services benefits *only* if they cooperate with law enforcement in the investigation and prosecution of

<sup>30</sup> Please see pps. 44 through 63 for a listing of human trafficking service providers in Florida.

<sup>31</sup> The entities that provide services to victims of trafficking will be referred to in this section as: service providers, organizations or non-governmental organizations (NGOs). Also, “service provider” and “organization” can refer to both private and governmental providers of victim services.

<sup>32</sup> Please see Appendix D for a description of trafficked persons and the varying needs for services.

the trafficker. Children who are trafficked do not face this legal requirement, but practically speaking, they often similarly cooperate. Immigration relief, such as the T visa and the grant of Continued Presence, also required evidence that the trafficked adult has cooperated with law enforcement. However, not all services are linked with law enforcement cooperation. A number of anti-trafficking NGOs will assist victims regardless of this requirement. For instance, a local domestic violence center can shelter a victim of trafficking regardless of immigration status or willingness to cooperate with law enforcement.

Funding streams often are attached with “strings” and limit the kinds of victims that a service provider can assist. For instance, federal law requires that anyone receiving housing grants has to work or go to school, making it difficult for some undocumented victims of trafficking to access housing at a federally funded facility. Some organizations can only provide services to victims once they have received a certification from the U.S. Department of Health and Human Services (HHS), whereas others must stop their provision of assistance to survivors of trafficking once HHS confers certified victim status.<sup>33</sup>

The federal government has contracted with the U.S. Conference of Catholic Bishops (USCCB)<sup>34</sup> to provide funding support and a number of providers in Florida are part of this effort. Approximately eleven service providers in Florida currently subcontract with USCCB for services funds. However, this effort has been fraught with difficulties with many service providers finding funding to be unduly restricted and inadequate, the process of obtaining support being onerous or not suited to the services being provided and the reimbursement process as unreasonably long.

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<sup>33</sup> There are two main kinds of certification: HHS Certification and the I-914B certification. The former relates to accessibility of various public benefits, the latter leads to potential immigration benefits. For a clear picture of the certification process for HHS, see [http://www.acf.hhs.gov/trafficking/about/cert\\_victims.pdf](http://www.acf.hhs.gov/trafficking/about/cert_victims.pdf). For an explanation of the I-914B certification, see <http://www.uscis.gov/files/form/i-914supbinstr.pdf>.

<sup>34</sup> USCCB administers the Anti-Trafficking Per Capita Services Program through a contract with the U.S. Department of Health and Human Services, Office of Refugee Resettlement (HHS/ORR) to provide services to survivors of human trafficking across the country.

Services available to trafficked persons in Florida are scattered, sometimes hard to find and understand, and at times, provided by persons unfamiliar with many aspects of human trafficking. Frequently these services are not connected to one another in any coherent or dependable way. Indeed, the web of services in Florida, a geographically large and diverse state, is difficult even for U.S. born and educated adults to navigate. This system is infinitely more complex for an individual who has only recently left a trafficking situation, who may not speak English, who may not know the laws of this country, who may have come from a country with a corrupt police force, who needs health care, who is worried about the safety of relatives in their country of origin, who is scared, exhausted, malnourished, or who even may be a U.S. citizen juvenile runaway vulnerable to commercial sexual exploitation.

One organization cannot provide for all of the services that a formerly trafficked person requires. Therefore, it is imperative that organizations and agencies form partnerships to work collaboratively. In some parts of the state, organizations have partnered with law enforcement and other service providers to create task forces and coalitions that specialize in combating human trafficking. These partnerships operate throughout the state and offer some insight into how to protect and provide comprehensive care to victims of trafficking.

## **Direct Services Organizations**

### **1. Legal Assistance**

#### **Background and Observations**

Legal assistance to victims of trafficking includes representation from non-profit attorneys, private attorneys working *pro bono* on specific trafficking cases, Legal Services and Legal Aid. There is a dearth of attorneys offering free or even low-cost services to victims of trafficking in Florida. Few Florida attorneys are aware of human trafficking and even fewer have received training on the topic. To date, one entity of the Florida Bar has sponsored a program on human trafficking: the Committee on Legal Needs of Children.<sup>35</sup>

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<sup>35</sup> See pp. 111, 113-115

The legal services available for trafficked persons in Florida cover many different aspects of the law. If the victim of trafficking in question lacks secure immigration status, then immigration attorneys are an essential piece of the puzzle. Immigration attorneys can represent clients eligible for T, U, and Special Immigrant Juvenile status visas as well as asylum and Violence Against Women Act (VAWA) benefits. Immigrant legal representation can include evaluation for potential civil remedies (or finding an attorney who can competently pursue this aspect of a case) as well as continuous meetings with law enforcement: this is not just about filling out forms for a T visa or other immigration relief. Immigration attorneys often assist victims of trafficking in preparing applications for a T visa. That process requires that clients demonstrate that they will suffer “extreme hardship involving unusual and severe harm upon removal” from

Various Potential Legal Remedies for Trafficked Persons:

- 1) Criminal (restitution)
- 2) Immigration (T and U visa, SIJ, Asylum, VAWA)
- 3) Civil (Labor, private right of action, torts, contract)

the U.S. back to a client’s country of origin. Despite the fact that trafficking rings operate with impunity in many countries and law enforcement protection for families and friends of the victims is scarce, this standard is unclear and difficult to communicate to some law enforcement and prosecutors in a way that they can feel comfortable signing certifications for these visas.

Additionally, counsel can meet with law enforcement or prosecuting attorneys, and, if need be, can walk the client through all aspects of a criminal case. If the trafficked person is a child, U.S. citizen or lawful permanent resident, then the attorney can provide counsel and representation related to a range of civil and criminal issues. For example, if an individual was trafficked for labor, he or she might be entitled to back wages and other labor law remedies, matters where a civil attorney with this kind of expertise could provide needed representation.

## **Analysis of Needs and Gaps**

Legal representation is one of the greatest unmet needs trafficked persons face: Florida is highly populated and geographically large, funding to provide these services is extremely limited, few attorneys are trained to represent trafficked persons, and the needs of these clients are varied and complex. However, since the enactment of the TVPA and its subsequent reauthorizations, access to legal representation has marginally improved. These services are provided by non-profit legal advocacy organizations such as the Florida Immigrant Advocacy Center (FIAC) whose work representing victims of trafficking predated the TVPA. In 2000, Congress granted Legal Services organizations specific authorization to represent undocumented persons who are victims of domestic violence, sexual violence or human trafficking.<sup>36</sup> However, many legal services and legal aid organizations that are allowed to represent victims of trafficking do not represent victims of trafficking on account of limited resources and their decision to prioritize other kinds of cases.

Attorney/client relationships function best when legal services are tailored to each client's specific needs and when counsel both understands and explains the civil, criminal and immigration consequences of each of their client's decisions. Despite some success, there are huge needs and gaps in the provision of legal assistance to trafficked persons. Several attorneys who represent or are ready to represent victims of trafficking have difficulty in finding partners in their respective regions of the state for effective case management (including safe shelter and counseling) or they wrestle with the decision to take on a case because of the immense responsibilities of case management that often come with human trafficking case representation. For instance, it is very normal for an attorney to be either the broker or the provider of non-legal services for the human trafficking client. That attorney may be the only one who can conceivably provide what that client needs whether it is

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<sup>36</sup> Congress effectively increased access to legal representation for trafficked persons through passage of the Trafficking Victims Protection Act of 2000, with its mandate that LSC-funded services be made available to victims of human trafficking regardless of immigration status. The Trafficking Victims Protection Reauthorization Act of 2003 further expanded this category of representable victims to include trafficking victims' family members who have been granted "derivative" visas under the first act. See Trafficking Victims Protection Reauthorization Act § 4, Pub. L. No. 108-193, 117 Stat. 2875, 2877 (2003); 22 U.S.C. § 7105.



transportation for doctor's appointments or help finding housing. Understandably, these attorneys are unable to provide legal services as well as to take care of the many other unmet service needs that clients face. They must be able to link with local and dependable service providers.

Funding for lawyers to represent victims of trafficking is practically non-existent in Florida. This funding is vital to that survivor's ability to access benefits for which they are eligible and work, live, feed themselves and their children and remain in the U.S. U.S. citizens, including domestic minor sex trafficking victims also desperately need legal assistance as they are often arrested for crimes such as prostitution and treated as perpetrators instead of as victims as the law provides. Clients who are trafficked often need representation over the long term and they rarely, if ever, can pay for legal fees. This means that non-profit legal assistance organizations must apply for grants from government, private sector and other sources to ensure continuity of representation.

One impediment to obtaining effective legal assistance is how long human trafficking cases can take to move through the justice system. Attorneys and victim advocates work hard to convince state and federal prosecutors to interview their clients and open trafficking investigations and prosecutors they can be reluctant to do so, especially if the case involves a single victim and if they do not see the matter worth the investment of time and resources as compared to cases that involve multiple victims. Attorneys and their clients in Florida have been frustrated that prosecutors have been unwilling to interview potential victims or to sign certifications for T visas if a prosecution is unlikely. This frustration is understandable because victims of trafficking are still eligible for immigration remedies regardless of whether an investigation or prosecution proceeds. Another complication that arises involves the difficulty in persuading prosecutors to file paperwork for the T visa while a prosecution is ongoing; some prosecutors are reluctant to do this because they are concerned that defense counsel will argue that the victim has colored her testimony if she receives their certification and help with obtaining the T visa. When prosecutors refuse to provide this documentation, Immigration and

Customs Enforcement (ICE) frequently will not certify “continued presences” once the prosecution is finished.<sup>37</sup> Finally, it is difficult for attorneys to meet and explain the “extreme and unusual harm” standard so that law enforcement and prosecutors can feel comfortable signing certifications for T visas. In sum, prosecutors and law enforcement officials have expressed reluctance to sign certifications for T visas for a number of reasons, which in turn increases the need for strong advocacy by immigrant legal representatives.

### **Legal Assistance Recommendations**

159. The Florida Legislature should fund legal representation for trafficked persons throughout their respective immigration, criminal and civil cases in Florida.
160. Private foundations and other potential funders in Florida should fund legal representation so that trafficked persons could be represented in civil actions such as those authorized by the TVPA, civil rights enforcement, labor remedies and other private actions to which they may be able to obtain relief against traffickers. Often these actions include attorneys’ fees as a form of relief and where this is not the case, funds recovered against the traffickers could be paid to the trafficked person and used to defray legal fees for their representation.
161. The Florida Human Trafficking Task Force, and other concerned citizens and organizations should inform Congress of the harms that the current standard of “extreme and unusual severe harm” is inflicting on trafficked persons and advocates should inform the Department of Homeland Security that regulations should be amended to clarify what this standard entails so that deserving trafficked persons can qualify for T visas for their efforts to assist in the prosecution of their traffickers.
162. The Florida Bar and other statewide and local bar associations should provide CLE programs for attorneys to learn about human trafficking and recruit *pro bono* attorneys to represent trafficked persons.

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<sup>37</sup> Continued Presence (CP): Only a federal law enforcement agency may petition the Department of Homeland Security (DHS) for CP (which means that a victim’s continued presence in the United States is required for the prosecution of her traffickers). CP is an essential element that enables an adult victim to be certified as a victim of trafficking by Health and Human Services (HHS), and to access the public benefits that flow from that status.

163. The Florida Supreme Court and the Florida Bar should dedicate a specific award to recognize lawyers that provide pro bono representation to trafficking victims.
164. The Florida Board of Bar Examiners should consider adding questions related to human trafficking to the Bar examinations so that law school might begin to incorporate human trafficking law into their curricula and students would become familiar with the idea of representing victims of trafficking.
165. Law schools in Florida should include courses or clinics relating to assisting human trafficking victims so that law students would become familiar with the need for pro bono legal representation for victims of human trafficking.

## **2. Social Services**

### **Background and Observations**

Social service organizations provide a range of services to victims of trafficking. These services include, but are not limited to, food, housing, clothing, case management, health care, education, job training, childcare, and transportation. Although each of these services is vital, housing remains one of the most pressing unmet needs facing formerly trafficked persons. Housing is sought and found in piecemeal ways and at any given time, human trafficking victims have no guarantee that there will be long or short-term housing available for them or their families.

In addition to the ever-increasing demands for shelter, housing providers face a range of challenges when assisting victims of trafficking, because these victims are often very different from the primary populations they usually assist. “House rules,” and other requirements that non-trafficking program residents must participate in can be diametrically opposed to best practices for victims of trafficking. For instance, some programs require that residents undergo random drug testing, participate in group counseling sessions, or undertake other tasks that are designed for people who are not victims of trafficking and can actually do great harm to human trafficking victims, place them in potential danger from the traffickers and, according to prosecutors, negatively affect the government’s case against the traffickers. In short, any

program whose primary mission is not to serve victims of trafficking, must evaluate and adjust the mode of service provision when they shelter or otherwise assist victims of trafficking. Additionally, there are great differences among the many different kinds of victimizations suffered by between victims of trafficking. So, for instance, even if a program competently and safely shelters a female victim of sex trafficking, that does not mean that that same program would know how to provide housing services to a male victim of labor trafficking.

There are other challenges to housing victims of trafficking. Many are mothers with children, and some shelter providers do not always have space to house families. While certified domestic violence centers and other agencies provide shelter services to men (often outside the main shelter facility), there remains a particular need for shelter beds for male victims of trafficking and for adolescent males who are the children of women who are trafficked. (Some domestic violence centers do not allow these children to reside with their mothers in emergency shelter.)

It is very difficult to ascertain just how many beds or apartments are available for victims of trafficking in Florida. Some beds are available on an ad hoc basis only and census figures among organizations that provide housing can vary greatly and unpredictably. Some survivors of trafficking will require secure facilities to ensure protection from their traffickers and some will not if they are not at risk. Some survivors may need housing that would accommodate their children, some cannot stay in a federally funded facility if they lack the immigration status to work or go to school, and sometimes a domestic violence center or other shelter runs out of bed space when a large-scale trafficking bust occurs. Given this range of difficulties regarding housing, Florida would benefit from housing programming that is dedicated exclusively to serving the needs of trafficked persons and that would allow for an array of shelter options.

The current system of emergency residential services available to minors in Florida is responding to the need for shelter and counseling for victims aged 10-21 through federal funding and agency operating funds. This network of community-based agencies under the direction of the Youth and Family Services Network “Reaching Out” Project is engaged in

immediate and long-term capacity-building to adapt to the needs of DMST victims and Foreign-born victims. These organizations: identify victims and survivors, contribute to local and state anti-trafficking coalitions and perform community education and outreach to victims. These agencies also provide necessary prevention training to youth care workers who can identify early warning signs and educate at-risk youth to the dangers of exploitive relationships.

Many service providers throughout the state have worked hard to establish successful models in the provision of services to trafficked persons. One aspect of a model that has proved to work is when at least one staff member is specially trained and designated as that organization's "trafficking expert." This expert supervises others or would provide direct services, such as case management, directly to trafficked persons. This person would also most likely be the "face" of the agency on trafficking issues and so would be in regular contact with law enforcement and other community partners, as needed.

Partnerships between service providers and law enforcement agencies greatly improve access to benefits for trafficked persons. These relationships can work best when duties and responsibilities of each partner are explained and detailed in a Memorandum of Understanding or shared protocols. When community organizations, law enforcement, state agencies and others build relationships and clearly communicate with one another, whether through task-forces, joint training programs, monthly meetings or other connections *before* a trafficking situation is discovered, the trafficked person benefits enormously. In parts of the state where these pre-existing relationships are in place, services such as medical, dental, and pre and post-natal care are available to survivors at no cost. Longstanding community relationships also work to the benefit of survivors who have a difficult time accessing emergency housing. One anti-trafficking non-profit agency sits on the board of the local homeless coalition and knows every homeless organization in the county. These ongoing community bonds and networks help organizations address the many challenges arising from serving trafficking victims.

Another useful model is when many services can be provided for trafficked persons in-house. One Florida organization has a mental health therapist and a licensed clinical social worker on staff to make immediate referrals, which reduces the lag time faced by survivors in accessing vital mental health services. In addition, if the providers are on call and available 24/7, and law enforcement is aware of the services that they provide, then detectives can notify service providers in advance of when they might be needing services for victims of trafficking so that the service provider can prepare. This advance notice gives a non-profit adequate time to prepare items such as backpacks with clothing, toiletries and basics for each newly rescued victim; find necessary translators; and set up needed services based on the victims' particular needs. These needs will vary depending on issues such as the victim's health, country of origin, age, sex, and how that person was enslaved.

Funding for direct services for victims of trafficking is sorely insufficient. Competition for grant funding is keen because so little of it is available relative to the need. The reality that most grants are for less than two years and our state and nation are in a faltering economy are just two of the many reasons funding is inadequate and programs cannot sustain effective services.

### **Analysis of Needs and Gaps**

#### **Inconsistent Levels of Service**

There are vast inconsistencies statewide in terms of the kind and quality of services provided to victims of human trafficking. For example, of the 67 counties in Florida, only a few have any kind of coordinated services to offer victims. The rest of the services are provided in an ad hoc manner. Organizations that provide services to trafficked persons are understaffed, under supported, and overworked. This leads to frequent turnover, which then reduces institutional memory, and perpetuates the need to train and retrain staff. Adequate funding remains a major and perennial challenge for all service providers.

Moreover, despite tireless efforts from various social service providers from around the state, challenges remain in the depth and breadth of provision of services to trafficked persons. One

of the most challenging areas for service providers is that of case management, where the many aspects of victim assistance are coordinated. Here, service providers can face difficulty in earning trust with clients if they cannot help that client to obtain the services they need quickly and effectively. The ability of the service providers to provide this assistance rapidly can hinge on many factors. One is that law enforcement may not respond to service providers when they call, or can take months to conduct the initial victim interview. These delays directly hinder federal determinations of the victims' eligibility for federal benefits. They also lead the clients to distrust law enforcement, the service providers and others who are trying to assist them.

### Accurate Intake and Assessment

Service providers need to conduct proper intake and understand the victim's needs. For example, some victims are functionally illiterate, and do not have the capacity to learn English easily. Therefore, assessing a trafficking victim's skills and vulnerabilities should occur immediately when the service provider meets with a victim, often after a law enforcement investigation commences, to ensure appropriate and effective service provision. After a sufficiently trustworthy relationship is built between provider and survivor, law enforcement agencies should work with the social services agencies to help the trafficked person to obtain the necessary certifications so that they can become "certified" and access social services quickly. Victims frequently require immediate housing (that is secure, confidential in its location, and affordable), health care, counseling and therapy, legal services, jobs and child care, just to name a few.

### The Need for Collaboration

For the past several years, certified domestic violence centers have provided shelter and other services to victims of human trafficking. Generally, domestic violence centers allow center residents to leave the center's emergency shelter at any time. One challenge faced by domestic violence centers and other shelter providers is that such these kinds of policies may conflict with the need that law enforcement and prosecutors have to ensure that a victim of trafficking is safe, has not returned to or been in contact with the trafficker and is available as a witness in

the trafficking case. Generally, law enforcement does not want the victim to leave the shelter on her own and they would like a victim's movements and activities to be monitored. Because these dual needs can conflict, it is crucial that all parties who intend to work together to assist victims of trafficking develop a working relationship, protocols or an MOU to reflect how each will respond in these situations. While some areas of the state have not been able to reach a level of functional cooperation and collaboration on these issues, but others have. Their ability to do so has resulted in better, safer and more effective services for survivors.

### Challenges for Service Provision

Law and institutional practices can pose a wide range of challenges and barriers to service providers who are assisting victims of trafficking. These include:

- Many transitional housing programs require victims to be employed or in school (a federal HUD requirement). Trafficking survivors are not permitted to do either if they are undocumented. The best way to solve this access issue in terms of employment is through pursuing immigration remedies for the client as soon as possible to increase access to work permits. In terms of making sure a client is in school, a service provider needs to make the client aware of publicly funded educational opportunities.
- USCCB does not timely reimburse for expenses to service providers who have provided food, transportation, education and other allowable services for victims of trafficking. Although the USCCB is eager to assist victims, their requirement that the local provider first cover expenses and then later be reimbursed presents a problem for service providers because there are significant delays in reimbursement, sometimes as long as several months. This reimbursement process is flawed and disadvantages providers, and so the victims they serve.
- Case managers are not prepared for the volume or longevity of victim needs when human trafficking investigations are long-term. After eight to twelve months, the investigators and the victim assistance personnel are frequently frustrated by the delays involved with trafficking cases. In one human trafficking case, it took federal



investigators six months to interview a victim for the first time. Moreover, a victim who is certified by the federal government can access federal social services benefits for only eight months and then they are cut off. Finding work is doubly difficult for this population as they may be still recovering from the trafficking situation, may not know English or have marketable skills, and may find it difficult to find work in these times of high unemployment.

- Finding secure, confidential, and long-term housing is one of the greatest obstacles for service providers. Trafficked persons need access to housing where they can receive the care that is appropriate to their needs. Florida needs to have safe and reliable housing options where there staff is trained and qualified to assist victims of trafficking. For some survivors, they will require an advocate to work with them (with language capacity or an interpreter) immediately.
- Access to mental health services is crucial and extremely limited. Many victims have endured unspeakable trauma, may be addicted to drugs or alcohol, and may need counseling and mental health assessments to help them adjust from a trafficking situation, deal with lengthy interactions with the justice system, cope with abuse both before and during their enslavement, and in general, move toward greater mental health and well-being. Trauma specialists and others who can provide culturally appropriate mental health services to victims of trafficking are sorely lacking in Florida.
- Transportation is a major issue for service providers seeking to ferry clients to their many appointments in a geographically large state without an effective public transportation system.
- It can be difficult to find interpreters (for many different languages, including sign language for deaf or hearing impaired victims) who are qualified, who understand human trafficking and who are not allied with the traffickers and so are safe to work on human trafficking cases.
- The current system of emergency residential services available to minors in Florida has the ability to provide the resources needed based on their location and experience;

however, a higher staff to youth ratio is needed as well as intensive and ongoing training. Emergency shelters can serve a large part of the continuum of the youth who are exploited or vulnerable to exploitation. Through cooperative training agreements these community-based agencies are well-positioned to expand services to provide the secure services needed as a completion of the continuum and/or as an essential partner to that part of the continuum. These activities are documented with the Federal Anti-Trafficking in Persons program and the United States Conference of Catholic Bishops.

- Resources and funding for trafficking victim services are extremely limited. Programs should continue to expand their efforts to collaborate and partner with others in the community such as law enforcement, homeless assistance programs and others as the chances of receiving funding most often increase when a service provider shows strong collaborations with key community members. Partners should work to support one another and strategically allocate scarce resources so that programs can be sustained over the long term. Not doing so can contribute to well-functioning partnerships ending prematurely. Relatedly, funders should encourage community partnerships in this arena, and provide long-term assistance to service providers who work well with other key members of the community to assist victims of trafficking. Grant applications could require meaningful MOUs or other documents that attest to the provider's history and ability to collaborate on behalf of human trafficking victims. Funding should support long-term care for victims and recognize that federal support is short in duration to the multi-year assistance many survivors need in order to become self-sufficient. In addition, a gap in services exists between when a victim is certified and when the benefits kick in. There needs to be a layer of care to cover that time.
- Victim confidentiality is always a concern in human trafficking cases and becomes more urgent when many different agencies and parties are involved in victim care. While there are confidentiality privileges available to certain social services, health care and legal providers,<sup>38</sup> human trafficking advocates lack similar confidentiality privileges thus making their client communications potentially discoverable by the traffickers in during

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<sup>38</sup> Pursuant to Florida Statute Section 39.908, staff and volunteers of certified domestic violence centers are required to keep confidential all information about clients receiving services from the center.

criminal cases. Regardless of the absence of this privilege, human trafficking advocates must take care and never disclose confidential information. Not only can such disclosures endanger the victim, they can erode prior relationships of trust between victims and their service providers. The Florida legislature should create a privilege for anti-trafficking advocates to protect their communications similar to those that exist for domestic violence and sexual violence advocates.<sup>39</sup>

### Standards and Accountability

There are many credible organizations that provide much needed services to victims of trafficking. However, there are others where valid questions have been raised concerning the quality of care and capacity of these organizations to meet even basic human trafficking survivor needs. This is a problem of statewide concern. Although each organization can engage in its own vetting process for its employees, the larger concern is how to evaluate the many non-profits and NGOs that have appeared around the state pledging to “fight human trafficking.” While these organizations may appear to be legitimate, upon closer examination, they may be seeking to turn a profit more than they are trying to assist victims.

Others may be well-meaning but may be staffed with unqualified persons. Still others may not be assisting victims by using an “empowerment” model. The focus of the “empowerment” model of victim care is on helping the victim to gain a strong sense of worth. It allows the victim to act and make choices and with the goal of assisting them toward greater control in their lives. This victim-centered approach is individual to the person being helped and is the opposite of paternalistic models of care that are based on the victim being sick, damaged or in need of being “cured” or subject “social engineering.”

No current mechanism exists to evaluate the efficacy of organizations purporting to serve victims of trafficking. Neither protocols nor guidelines exist that outline acceptable minimum practices in providing assistance to trafficked persons such as those that exist for state-certified

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<sup>39</sup> See Sections 90.5035 and 90.5036, Florida Statutes.

domestic violence centers or community based care agencies. Clearly, a set of standards and protocols for services for victims of trafficking is needed so that communities, and most importantly the survivors of human trafficking, can be assured that they are safe and are receiving a high quality of care. These standards should be developed in collaboration with representatives from all relevant areas of human trafficking services and practice and, if appropriate, be adopted into state law. Such standards should also be accompanied by guidelines and an entity should monitor quality and provide assurances that the services provided to victims of trafficking are legitimate and of meet appropriate levels of care and quality.

**Policy Recommendations:**

166. USCCB should consult with service provider recipients in Florida and assess ways it can improve services, including expediting its reimbursement process so that reimbursement occurs no later than 30 days after submission.
167. USCCB and other federal sources of funding should establish clear and open communication with state and local case managers so that they have adequate resources to provide victims with what they need throughout the lengthy process of interviewing, prosecutions, and adjudication of trafficking cases.
168. Law enforcement agencies should expeditiously review cases of potential victims of trafficking, certify victims where appropriate and pursue investigations so that qualified victims can gain meaningful access to social services.
169. The Legislature should fund and social service organizations should focus on providing a full range of appropriate transportation options for victims of trafficking. Options could include funding to provide taxi and jitney service vouchers, public transportation passes, insurance coverage for advocates and others, and for the purchase of vehicles.
170. The Florida legislature should provide increased funding for housing and training to providers of shelter services to ensure focused care for victims of human trafficking. Ideally, funding should allow for a menu of housing options so that communities around the state could collaborate and determine they type, size, staffing and other needs it

has for housing victims of trafficking. Options could include providing additional assistance to already-existing shelter programs to accommodate and staff trafficking survivors, a housing voucher system, funding for hotels for short term stays and apartments or other facilities for longer term residence and funding for a shelter specifically for victims of trafficking.

171. The Legislature should establish a body to develop minimum standards for services for trafficking victims in Florida. This body should be comprised of members of long-established anti-trafficking victim services programs that use the victim empowerment model, certified domestic violence and sexual violence programs, representatives from law enforcement and key agencies of state government including the Departments of Children and Families and the Office of the Attorney General, representation from local anti-trafficking task forces or coalitions, mental health and substance abuse experts, an attorney with experience in representing victims of trafficking and others as needed. Standards should include all matters relevant to safe and effective assistance to trafficked persons.
172. Service providers should have staff that is specially trained in trauma care or have access to these critical mental health professionals.
173. Substance abuse programs and service providers who assist victims of trafficking should collaborate, cross train and assist one another as victims of trafficking often have substance abuse issues related to their enslavement.
174. Service providers should have access to language interpreters who can interpret for them in human trafficking cases.
175. Service provider staff should receive training that includes, where appropriate, basic, continuous and updated information as well as higher-level training for the trafficking points of contact at that agency.
176. Service providers should link with local anti-trafficking taskforces and coalitions and build strong collaborations with community partners to better assist victims of trafficking.

177. The legislature should amend state law to provide privileged communication for human trafficking advocates.
178. The Center for the Advancement of Human Rights (CAHR) should maintain an updated list containing the contact information for service providers, law enforcement, state agencies, prosecutors, and all other relevant parties and participants in local and statewide taskforces and coalitions. In addition, CAHR should serve as a clearinghouse for coalition protocols, MOUs, toolkits, and any other useful information related to providing services to victims of trafficking.
179. Service providers, law enforcement, prosecutors and others who currently or should collaborate on human trafficking cases should develop and regularly revisit protocols and MOUs so that they can build respectful and productive partnerships, ensure regular and communication among one another and sustain effective, victim-friendly and supportive collaborations.
180. Through local task force and coalition meetings, service providers should develop and maintain a support network with other service providers so that they can mentor and inform one other on emerging trends in law, case management, partnerships with providers, and law enforcement issues, funding availability and other matters. This network has been achieved in some locations via a secured email list-serve, a biannual conference, and/or a list of confidential contact information.

## Law Enforcement

CAHR conducted extensive interviews with state and local law enforcement officials, especially Florida police and sheriffs, to elicit a description of their needs and recommendations on how human trafficking could better be combated in Florida. The following is a summary of their responses, and recommendations.

181. Florida should promote the use of FDLE's statewide law enforcement database (InSite) that already contains a human trafficking crime sub-type that is part of the larger Violent Crime Module. As a database that is secure and accessible only to law enforcement officers, InSite has the capabilities to compile the following information that is crucial to successful trafficking investigations and prosecutions:
  - Addresses and telephone numbers related to ongoing investigations
  - Names and aliases of suspected traffickers
  - Arrests
  - Related vehicles and license plate numbers
  - Known criminal activities
  - Modus operandi of suspected traffickers
  - Related financial instruments
  - Businesses or contractors suspected of ties to human trafficking
  - Ownership information on massage parlors
182. Pro-active trafficking investigations should be pursued, and should replicate the same tactics used to combat organized crime or drug trafficking (i.e., use of confidential informants, wiretaps, and plea bargains with lower level perpetrators so as to prosecute "up the chain of command" of trafficking operations).
183. Florida should have a list of regional service providers throughout the state whom law enforcement officers can contact when there is a need a need for victim care and advocacy in trafficking investigations and law enforcement agencies should ensure that its officers are aware of this resource and have ready access to it.

184. Florida should consider deputizing local officers so as to allow them to cross jurisdictional or county lines when investigating human trafficking cases.
185. Law enforcement agencies should make general training on human trafficking available to all active duty sworn officers in Florida. Any required curriculum should be supplemented with shorter in-service trainings for front-line officers, including station briefings and roll-call trainings
186. Local law enforcement agencies should be given more training and support on how to investigate labor trafficking cases.
187. Non-governmental organizations (NGOs) should be pro-active in bringing human trafficking cases and leads to state and local law enforcement and law enforcement expeditiously should review cases and leads brought to them by NGOs. Law enforcement agencies, where appropriate, should expeditiously issue law enforcement certifications, to assist victims of trafficking in obtaining services and benefits for which they are eligible.
188. Non-governmental organizations should be mindful that they are not investigators, nor can they duplicate the role of law enforcement as rescuers of human trafficking victims. Rescue operations should be conducted only by sworn law enforcement officers in any situation where danger exists to a victim.



## RECOMMENDATIONS

<b>GOAL 1</b>	To have useful data that reflects and is used to evaluate the prevention of human trafficking, protection and support for victims and success in prosecuting traffickers
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### TRAFFICKING PROSECUTIONS, 2004-2010

1. State prosecutors and law enforcement should continue and expand their focus on human trafficking cases. Coordination of investigations will remain crucial to successful prosecutions of human trafficking cases.
2. State prosecutors, the Attorney General's Office and the Statewide Prosecutor's Office, including prosecutors, investigators, victim advocates and other key staff, should receive training on human trafficking including human trafficking investigations, working with trafficked persons and techniques of successful prosecutions.
3. All prosecutors including the Statewide Prosecutor, Florida's 20 State Attorneys and the Attorney General's Office should aggressively pursue traffickers and charge them with all appropriate violations of the law. The crime of "human trafficking" often contains many other underlying offenses and a host of other criminal and civil activities. Traffickers can also be charged civilly and criminally with offenses other than "human trafficking" as the cases involving Filipino workers (*Baldonado and Manuel*) showed.
4. Prosecutors should work with law enforcement and where appropriate prioritize and certify trafficked persons as "victims of trafficking" so that they can receive benefits and relief to which they are eligible.
5. Prosecutors should aggressively pursue orders of restitution for victims of trafficking and pursue the collection of these awards for victims.
6. Human trafficking is an extremely lucrative enterprise, and as such prosecutors should investigate and use civil and criminal Racketeer Influenced and Corrupt Organizations (RICO) charges against human traffickers.

### FLORIDA TRAFFICKING – BY THE NUMBERS

7. The Florida Legislature should commission a statistical study of Florida trafficking victims, to include data relating to DCF hotline reports and investigations, data capturing figures on trafficking investigations by federal and Florida law enforcement agencies, and data provided by service providers that would comport with confidentiality requirements.
8. The Legislature should commission a specific study of child sexual exploitation cases in Florida that would fall within the parameters of Florida statutes defining and proscribing sex trafficking of children.

9. The Legislature should commission a study examining the relationship between the incidence of teenage runaways in Florida and domestic minor sex trafficking.
10. The Legislature should consider how other states have utilized statistics to guide policymakers in creating alternatives to traditional incarceration for minors exploited through sex trafficking.
11. Any agency of state government in Florida that is likely to come in contact with victims of trafficking, particularly the Departments of Agriculture and Consumer Services, Children and Families, Health, Juvenile Justice, Education, Environmental Protection, Business and Professional Regulation and the Agency for Workforce Innovation should collect and report to FDLE data on the number of human trafficking suspected or encountered.

<b>GOAL 2</b>	To have a resource directory of all service programs that is user-friendly and current
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12. This resource directory should be made publicly available on the website of the FSU Center for the Advancement of Human Rights (CAHR) (<http://www.cahr.fsu.edu>), as well as the websites of the Department of Children and Families and other relevant Florida state agencies.
13. The CAHR should update the information on a regular basis.
14. This directory should be available for trainings within each region of Florida.
15. Each Florida task force and coalition should report any new service providers in their area to the CAHR.
16. Each organization already listed on this directory should report changes in contact information to the CAHR as they occur.

<b>GOAL 3</b>	To deploy effective public awareness strategies
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17. The Statewide Human Trafficking Task Force should request, and the Legislature should provide, funding to support statewide and local human trafficking public awareness campaigns. These campaigns should be tailored to identified needs and include funding to support evaluation for effectiveness. Such campaigns should be both local and statewide in nature.
18. Local human trafficking task forces and coalitions should connect with one another and share information about public awareness campaigns. Where appropriate, they should provide linkages and coordinate public awareness campaigns and messaging.
19. Florida should have a centralized place such as an electronic website where public awareness campaigns and awareness materials are posted and able to be shared. This should include links to outreach efforts such as those being undertaken by the Youth and Family Services Network.

- 20. The Florida Legislature should adopt laws similar to those in Texas and in Washington State that direct how public information on human trafficking should be posted in establishments that sell alcohol as well as at highway rest areas and other workplaces.
- 21. NGOs and others who work with victims of trafficking should hold victim privacy paramount and never disclose victim location, identifying information or any other information that infringes on the victim’s privacy. Victims should participate in media campaigns or public awareness efforts only when it is safe to do so, when the victim is able and when the victim has the assistance of a trained advocate or attorney.

<b>GOAL 4</b>	To enact effective laws to protect and support victims and punish traffickers
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- 22. The 2006 legislative mandate that each State Attorney develop training standards for their prosecutors regarding human trafficking has yet to be realized. Likewise awaiting implementation is the legislative mandate directing the Florida Supreme Court and the Florida Bar to develop trainings on human trafficking for Florida judges and attorneys. This latter directive is especially important for Florida judges who are already being called upon to adjudicate criminal prosecutions of alleged trafficking brought under Florida statutes, and for juvenile law judges who may encounter victims of domestic minor sex trafficking in their courtrooms. All of these key groups should develop and implement needed training on human trafficking.
- 23. Florida has statutes in place that criminalize labor law offenses perpetrated against migrant farm workers, as well as statutes that regulate employee leasing companies. What remains largely unlicensed are temporary employment agencies, a number of which are engaging in the routine exploitation of immigrant workers—often in Florida’s hotel, landscaping, and resort industries. Laws regulating such companies should be introduced to fill this gap.
- 24. Florida law on sex trafficking is at last being used by prosecutors in Florida. Designated as a second degree felony, sex trafficking can result in a penalty of up to 15 years. A problem has emerged however, with the fact that convictions under this statute are governed by Level 4 Sentencing Guidelines, which even allow for non-prison sanctions. The Florida sentencing guidelines for sex trafficking convictions should be much higher in order to reflect the gravity of the crime.
- 25. While Florida law on domestic minor sex trafficking is in a separate statute Chapter 796 instead of the statute describing and defining human trafficking Chapter 787, it nonetheless conforms with federal law in establishing that minors whose participation in prostitution is facilitated by a third party are per se victims of sex trafficking. Florida law appropriately does not require actual knowledge on the part of a third party that one whom they have

- caused to engage in prostitution is a minor; like statutory rape provisions domestic minor sex trafficking is now a strict liability offense in Florida.
26. Nevertheless, the 2008 change in the law identifying minors engaged in facilitated prostitution as sex trafficking victims *per se* (eliminating the requirement that such minors demonstrate that force, fraud, or coercion had been used against them) has yet to be consistently implemented in statewide practice. While arrests of minors on prostitution charges appear to be declining, children in some instances are still arrested and detained on criminal grounds throughout the state. Florida policy makers, including those in law enforcement, need to formulate statewide practices that reflect this 2008 change in Florida law. Florida must continue to seek alternatives to traditional incarceration for children exploited in the commercial sex industry.
  27. Florida law should also be changed to establish an advocate privilege in Florida courts of law. Communications between anti-trafficking advocates and the human trafficking victims whom they serve are currently not protected communications and are therefore vulnerable to discovery in court proceedings. This has a significant chilling effect on communications between these advocates and the human trafficking survivors to whom they provide such critical services. The gap should be remedied by law. The Legislature should create such a privilege, and model it after the similar privilege it has created for domestic violence and sexual violence advocates in Florida. Human trafficking advocates who serve trafficking victims should be given the opportunity to undergo a 40 hour training course similar to the ones designed to accredit domestic violence and sexual violence advocates. The Florida Office of the Attorney General would be an optimal agency to maintain and administer such an accreditation program. Advocates who successfully complete this training should then be covered by a communications privilege.
  28. Pursuant to practices in other states, Florida legislators should enact a requirement that wherever liquor is sold, it be mandatory that information about human trafficking—including information about the national human trafficking hotline number, in several languages—be posted. This has proved to be a critical strategy for reaching out to victims in other states, and Florida should likewise utilize this practice. Florida law should also look to promoting information about human trafficking in other places where workers rights are publicized such as in materials disseminated by the Department of Business and Professional Regulation and the Agency for Workforce Innovation.
  29. This *Strategic Plan* recommends a number of actions to be taken by agencies of the State of Florida related to human trafficking. If these agencies do not have the statutory authority to act on implementation of any of these recommendations, the Florida Legislature should provide needed statutory and/or administrative authority.

30. Finally, the Florida Legislature should look to other sources than the general revenue pool for funding improved victim care and law enforcement efforts to combat trafficking. In an era of economic austerity, other funding sources than taxpayer dollars should be explored. Specifically, the legislature should consider fining labor contractors and other employers who accrue egregious records of human trafficking violations or labor law offenses to supplement traditional state funding sources. Such funds could be used for victim care, public awareness campaigns, or underwriting anti-trafficking efforts on the part of Florida law enforcement agencies.

<b>GOAL 5</b>	To have strong and effective local and state programs, law enforcement, social services, justice system and other community responses that protect and support victims and punish traffickers, especially among those communities that are disproportionately affected by human trafficking
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#### RECOMMENDATIONS FOR FLORIDA STATE, COUNTY AND CITY GOVERNMENT

31. Each agency should have at least one identified person who is the point of contact on matters related to human trafficking. That person should be trained and understand basic laws and the dynamics of human trafficking, know about local, state and national resources and be able to assist and, when necessary, refer agency personnel and the public for assistance.
32. Each agency should train its staff and contractors on the dynamics of human trafficking and resources, at the most basic level for most all employees, and at advanced levels for those more likely to encounter human trafficking. Specifically, each agency should evaluate whether personnel and contractors should receive more extensive training on human trafficking and if so, tailor those training efforts to the job duties and needs of those employees or contractors.
33. Each agency should be willing to participate in regular conference calls (quarterly or semi-annually) and receive periodic information concerning human trafficking in Florida through list serves or other convenient electronic means. The main purpose of both the conference calls and information sharing is to keep agencies updated and to help Florida to form and maintain a network of professionals who can assist one another, share training materials and do whatever tasks are needed to offer support and technical assistance.
34. Agencies should post and set out information about human trafficking in conspicuous places in governmental offices such as on public bulletin boards, break and food service areas, and restrooms. (Free public information posters, handouts and other materials in multiple languages are available at <http://www.acf.hhs.gov/trafficking/index.html>.)

35. Agencies regularly should include information about human trafficking in agency communications efforts such as internal and external e-newsletters, bulletins and any other methods used by that agency. Human trafficking features should include how to identify human trafficking, resources, local efforts and best practices.
36. Personnel and agencies as a whole that are members of existing multi-disciplinary efforts or collaborations should examine whether human trafficking is an appropriate matter to include in work of that body and if it is, raise the issue so that it can be addressed. For instance, there are several state agencies that are members of Florida's Cabinet on Children and Youth and who participate in local "Children's Cabinets." Each of these coordinated efforts is an appropriate place for child trafficking to be on the agenda.
37. Each agency should consider including the topic of human trafficking in agency sponsored or agency-funded conferences, webinars, training conference calls or other events where staff and those who contract with that agency receive training and information relevant to carrying out their duties.
38. Any agency staff that does outreach to the public or inspects work places should be properly trained on human trafficking and, where appropriate, incorporate human trafficking awareness information into their presentations and inspections.
39. Each agency should provide a link to the Department of Children and Families' website on human trafficking.  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>
40. Agencies should have all local and national human trafficking contact information available for their employees statewide and agency staff should build linkages with these local efforts. Agency personnel who are already active on federal task forces should explore how to include human trafficking in current partnerships.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

41. DOACS should create training and outreach opportunities for all DOACS staff that may come in contact with victims to learn about human trafficking.
42. The Department should provide local, regional and national human trafficking contact information for staff throughout the state; encourage staff to link with these local efforts.
43. Agency communications staff should explore the ways in which human trafficking resources and help lines could be added to current public outreach information on food safety, pesticide safety, and other matters within the Department's jurisdiction.
44. The Department should permanently feature human trafficking (how to identify human trafficking, resources, local efforts) in agency communications efforts, including the website.

45. Personnel throughout the state should actively engage with and/or inform local human trafficking task forces and law enforcement colleagues about how DOACS staff can be a resource to investigate human trafficking and assist victims.
46. DOACS staff should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
47. The DOACS website should include information on human trafficking and links to other key anti-trafficking information. At a minimum, it should provide a link to the Department of Children and Families' human trafficking website. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

#### OFFICE OF THE ATTORNEY GENERAL AND FLORIDA'S LEGAL COMMUNITY

48. The OAG should continue its current efforts to educate staff and other professionals within the criminal justice system on human trafficking.
49. Current OAG website links and resources should continue and be regularly updated.
50. OAG staff throughout the state should continue working with local anti-trafficking task forces and coalitions and other experts in the field.
51. The Office should encourage each of its Divisions, where appropriate, to explore how and if human trafficking can be prosecuted within existing laws or how civil lawsuits can be filed to shut down organized Human Trafficking schemes.
52. The OAG should explore whether and if a new law should be enacted to give the OAG specific authority to investigate and prosecute human trafficking as a civil rights violation.
53. The Office of Civil Rights should expand its work to include the investigation and prosecution of civil rights violations of human trafficking victims.
54. The State should increase resources to the OAG as needed to fully incorporate and enforce Florida law against traffickers.
55. The Office of Statewide Prosecution should expand its work to include the investigation and prosecution of human trafficking.
56. The OAG should explore and assist in the development of Continuing Legal Education (CLE) programming on human trafficking for attorneys, in conjunction with the Florida Bar.
57. The Florida Bar as well as state and local Bar associations should continue and expand their current efforts and provide greater access to legal education through CLE programming and featured awareness articles in their publications.

## AGENCY FOR WORKFORCE INNOVATION

58. AWI should create training opportunities for staff to learn about human trafficking and to communicate their valuable experiences with one another. Such training is especially critical for the outreach workers who regularly visit and monitor fields and labor camps throughout the state
59. AWI should provide local and national human trafficking contact information for staff and Regional Workforce Boards throughout the state and encourage local Boards to link with these local efforts.
60. AWI should explore the ways in which current outreach information on safe workplaces could be expanded to include information about human trafficking and places that people can go for help and information. Florida's Creole-speaking Haitian farm worker community is especially in need of such information, along with greater awareness training of their rights under U.S. law. Similar information should be made available to the new wave of Asian farm workers arriving to Florida (especially those from Thailand and the Philippines) in their native languages.
61. AWI should feature human trafficking (how to identify human trafficking, resources, local efforts) in agency communications efforts, including the website.
62. Since human trafficking is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present, AWI should evaluate current protocols or directives that detail responses to other illegal activity to include specific mention of human trafficking and prescribe agency responses as appropriate.
63. AWI should disseminate information about human trafficking in employer-owned housing premises around Florida that AWI annually licenses and inspects and ensure that part of the licensing process involves the introduction of a requirement that information about human trafficking is posted in workers' native languages onsite in the employer-owned or leased accommodations where migrant workers are temporarily housed.
64. AWI staff should make sure that if they respond to calls on the Florida Farmworker Helpline that they understand human trafficking; AWI should promote the Florida Farmworker Helpline more extensively as a resource for exploited and trafficked workers.
65. Regarding the work of the "Children's Cabinet" and other multidisciplinary efforts, AWI and Regional Workforce Boards should join with other agencies and organizations and make human trafficking of children and vulnerable adults a priority issue area for attention and reform.
66. AWI's website should include information on human trafficking and links to other key anti-trafficking information. At a minimum, it should provide a link to the Department of Children and Families' human trafficking website. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.



## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

67. The Department should expand training and outreach opportunities for DBPR employees, across-the-board, to learn about human trafficking and to communicate their valuable experiences with one another.
68. DBPR should provide local and national human trafficking contact information to DPBR staff and inspectors throughout the state and encourage staff to build linkages with these local efforts.
69. The agency should explore the ways in which current mandated information on safety and health which is posted at work sites can be expanded to include information about human trafficking and places workers can go for help and information. If legislative authority is required, the Department should consider the recently enacted Texas law that mandates the posting of the national human trafficking hotline wherever alcohol is sold.<sup>1</sup> Agency communication efforts should feature human trafficking (how to identify human trafficking, resources, local efforts, and work done by DPBR in conjunction with successful anti-trafficking prosecutions).
70. Since human trafficking is not included in agency protocols or directives that describe what inspectors and others should do if they suspect human trafficking is present, DBPR should evaluate current protocols or directives that detail responses to other illegal activity to include specific mention of human trafficking and prescribe agency responses as appropriate.
71. The Legislature should pass legislation to regulate temporary employment agencies where employment is for less than one year and place the licensure of these entities within DBPR.
72. The state should increase resources to the Farm Labor program to assist in the inspection of Farm Labor Contractors and the Department should make recommendations for increases in staff in other areas as needed.
73. The DBPR website should include information on human trafficking and links to other key anti-trafficking information like the Department of Children and Families' human trafficking website.  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## DEPARTMENT OF CHILDREN AND FAMILIES

74. DCF should create training and outreach opportunities for all DCF staff that may come in contact with victims of trafficking to learn about human trafficking. This training should be specific and tailored to the staff responsibilities so that, all staff receive training relevant to their duties and responsibilities.
75. The Office of Family Safety within DCF should develop intake, screening and treatment responses that can help prevent children from becoming victims

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<sup>1</sup> See <http://www.capitol.state.tx.us/tlodocs/80R/billtext/html/SB012871.htm>

- of domestic minor sex trafficking and that assist children who are currently being prostituted or forced into other aspects of the sex industry.
76. The ACCESS (Automated Community Connection to Economic Self-Sufficiency) Program should continue to provide posters in its service centers, store fronts, and community ACCESS partner sites to promote awareness of human trafficking among the population they serve.
  77. The Child Care Licensing Office should promote human trafficking awareness on its website and among the populations they serve.
  78. The Domestic Violence Program office should continue and where appropriate, begin training efforts, to ensure that domestic violence program staff and others to whom they provide technical assistance and support receive training on human trafficking.
  79. The Office on Homelessness should not only include the topic of human trafficking in its annual conferences and meetings but also promote human trafficking awareness and education among those who provide help to the homeless.
  80. DCF should adopt a specific maltreatment code for adults who are victims of trafficking so that human trafficking can be coded by the hotline and Adult Protective Investigators, as it can now be coded and tracked for children.
  81. The Office on Adult Protective Services should receive more training on human trafficking and how it could encounter and assist victims of trafficking within their jurisdiction.
  82. Children’s Legal Services attorneys should have regular training and updates on human trafficking relevant to their duties.
  83. Regarding the work of the “Children’s Cabinet” and other multidisciplinary efforts, DCF should join with other agencies and make human trafficking of children and vulnerable adults a priority issue area for attention and reform.
  84. DCF should provide circuit-by-circuit local and national human trafficking contact information for staff and contractors throughout the state and encourage them to link with these local efforts.
  85. Agency communications should regularly and prominently feature human trafficking including how to identify human trafficking, resources, local efforts and best practices.
  86. The Human Trafficking Coordinator should ensure that information created for DCF on human trafficking is regularly supplemented and updated to reflect current laws, trends and resources.
  87. The Department should continue to provide assistance and follow up on program office action plans with regard to human trafficking as many action items are ongoing in nature.
  88. Since traffickers target the most vulnerable people, it is important that Substance Abuse and Mental Health develop and implement efforts to assist the populations they serve. These efforts should focus on training for all front-line staff on prevention and awareness efforts with their clients as well as how to identify and respond to a suspected trafficking case.

89. DCF should consider and propose amendments to the law to allow for greater protection of those vulnerable adults between the ages of 19 and 59 who could be trafficked.
90. The Department should support “Safe Harbor” legislation that provides services to victims of domestic minor sex trafficking.
91. The human trafficking website should be updated and include important information such as local task force or coalition meetings, training programs, important national human trafficking information, and other human trafficking related events.
92. DCF should evaluate current data collection efforts and make sure that all relevant program offices are collecting data on human trafficking.
93. The Department should ensure that all current training programs such as the two on-line training modules for Child Protective Investigators and video links on human trafficking available on the Center for Child Welfare (<http://centerforchildwelfare.fmhi.usf.edu/kb/humantraf/Forms/AllItems.aspx>) are utilized by all relevant staff and that these programs are tracked in terms of numbers of times that they are viewed.

## COURTS

94. The court system should expand training and outreach opportunities for judges and judicial staff to learn about human trafficking.
95. The court system should provide local and national human trafficking contact information for each of the 20 judicial circuits and distribute widely among all courts, jails and other offices.
96. OSCA should explore the ways in which current training venues, including New Judges’ College and advanced judicial education programs, can include human trafficking in case examples and training hypotheticals.
97. The court system should feature human trafficking (how to identify human trafficking, resources, local efforts, Florida cases of anti-trafficking prosecutions) in newsletters and other communications developed by the OSCA.
98. OSCA should create bench guides or other materials that can help judges identify and inquire about human trafficking in court.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

99. DEP should expand training and outreach activities for officers and staff on human trafficking as well as outreach to the public, where appropriate.
100. DEP’s officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
101. DEP should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.

102. DEP staff should all have local and national human trafficking contact information and officers and others throughout the state should build linkages with these local efforts. In particular, many DEP officers and regulatory staff who are already active on state and federal task forces should explore how to include human trafficking in current partnerships, as appropriate.
103. Federal immigration authorities should be responsive when state law enforcement authorities request assistance concerning undocumented persons who may be victims of trafficking.
104. Webmasters at DEP should post human trafficking contact information to the DEP web page which includes a link to the Department of Children and Families' human trafficking website:  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

#### FLORIDA FISH AND WILDLIFE CONVERSATION COMMISSION

105. The FWC should expand training and outreach activities for officers and staff on human trafficking as well as outreach to the public, where appropriate.
106. The FWC should continue to utilize mandatory CJST training to familiarize officers with the crime of human trafficking.
107. FWC officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
108. FWC staff should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
109. FWC staff should all have local and national human trafficking contact information and officers and others throughout the state should build linkages with these local efforts. In particular, many FWC officers who are already active on federal task forces should explore how to include human trafficking in current partnerships.
110. Webmasters at FWC should post human trafficking contact information to the FWC FDLE web page which includes a link to the Department of Children and Families' human trafficking website:  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

#### DEPARTMENT OF FINANCIAL SERVICES

111. The Department should expand human trafficking training and outreach opportunities for DFS employees whose work might bring them in contact with trafficking situations.
112. DFS should provide local and national human trafficking contact information to its staff and investigators throughout the state, as appropriate to their responsibilities, and encourage staff to build linkages with these local efforts.

113. DFS law enforcement investigators who work in areas where human trafficking could be present should take the FDLE 40 hour advanced course on human trafficking.
114. The agency should explore the ways in which current mandated information on workers' compensation, insurance fraud or any other information which is distributed to the public can be expanded to include information about human trafficking and detail where those who want additional information can go for help and information.
115. Agency communication efforts should feature human trafficking (how to identify it, resources, local efforts, and work done by DFS in conjunction with any successful anti-trafficking prosecutions).
116. The DFS website should include information on human trafficking and links to other key anti-trafficking information. At a minimum it should provide a link to the Department of Children and Families' human trafficking website. <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

#### DEPARTMENT OF HEALTH

117. DOH should identify, obtain, and distribute culturally appropriate public health messages, educational materials, radio and television Public Service Announcements (PSAs), posters and flyers on human trafficking that are relevant to department programs. (CHDs should be able to access and obtain this information.)
118. CHDs should post information on human trafficking in appropriate multiple languages wherever the public sees public health messages in their facilities. In addition, CHD staff, where appropriate, should receive training on how to recognize human trafficking and respond appropriately.
119. DOH should identify or develop articles on human trafficking and include them in newsletters and publications.
120. DOH should develop agency policies and train staff on what to do if human trafficking is suspected.
121. DOH should provide local and national human trafficking contact information to County Health Departments, staff, and contractors, and encourage partnerships and collaborations to support local and state anti-trafficking efforts.
122. DOH should encourage health care providers to be trained on human trafficking.
123. DOH should consider including patient screening questions to identify human trafficking and when trafficking is suspected, refer to appropriate resources.
124. DOH should include human trafficking information on its website, including a link to the Department of Children and Families human trafficking website URL <http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

## DEPARTMENT OF JUVENILE JUSTICE

125. DJJ staff and private providers who provide counseling and are working with youth should receive training so that they can understand human trafficking and how to recognize it among the population they are helping.
126. All “life skills” training and any other relevant prevention programming that is taking place at programs such as the Girls Advocacy Program (GAP) or at PACE Centers for Girls should be supplemented with human trafficking information.
127. Contract monitors and the Department’s Quality Assurance program should include human trafficking on their monitoring instruments to make sure human trafficking is looked for at every given chance. This disclosure, if revealed to a counselor, should immediately provide any young person who is trafficked with additional help including referrals to assist with immigration rights and other benefits to which victims of trafficking are entitled.
128. Shelter staff and other key staff who house and work with youth should receive safety planning training because the safety of youth and staff at residential and non-residential programs is also at risk due to human trafficking.
129. DJJ should consider the development of programs and residential facilities that are geared to assist minors who are victims of sex trafficking. Legislative initiatives such as the “Safe Harbor Act” should be evaluated and implemented.
130. DJJ should add data collection fields to be able to track the numbers of human trafficking related cases in DJJ and to assess demographics so that more can be done to effectively help these youth. (Other data elements could include when a case was discovered to be human trafficking as well as when and how a minor is likely to disclose information.)
131. Local providers and DJJ staff should contact their local anti-trafficking task forces, coalitions and others in their area who are collaborating on human trafficking issues.
132. DJJ should work with other state and local agencies to add “human trafficking” to their regular meeting agendas, cross-train where needed and identify specific partners they would contact when a case arises.
133. Regarding the work of the “Children’s Cabinet” DJJ should join with other agencies and make human trafficking of children a priority issue area for attention and reform.
134. DJJ should evaluate the training tools and other materials that DCF has developed on human trafficking to see if they might be adapted for DJJ.
135. DJJ should require that all minors who are admitted to any DJJ runaway or homeless youth facility be screened at intake for human trafficking.
136. JACs should develop screening and intake criteria for children who are admitted to their facilities.

137. DJJ should add human trafficking to its website information and link with the DCF Statewide Human Trafficking website:  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>

#### FLORIDA DEPARTMENT OF LAW ENFORCEMENT

138. Continue to promote trainings on the InSite intelligence database system that will allow local law enforcement agencies throughout Florida to share intelligence information regarding statewide trafficking trends and investigative information.
139. Devise and implement an online training curriculum on human trafficking that would become a part of the required ongoing training for all active duty Florida law enforcement officers. Such training could comprise a one-time requirement for active officers, and should focus on trafficking indicators, follow-up options for first responders, and information about trafficking victim assistance resources throughout Florida.
140. Create a link or section on the Missing Endangered Persons Information Clearinghouse website regarding domestic minor sex trafficking in Florida, explaining its frequent link to runaway and throwaway children.
141. Designate an FDLE point of contact with each of Florida's task forces and coalitions that have formed in response to human trafficking, so as to become aware of local resources and service providers available to trafficking victims.
142. Ensure that FDLE investigators complete the advanced 40 training on human trafficking.
143. Track human trafficking crimes in Florida through arrest data, much as the agency does violent crime, drug trafficking, gang activity, etc. Effective data collection in this area will likewise require that charges lodged by arresting officers include references to human trafficking.
144. Continue to assist in the formulation of policy that will explore alternatives to traditional incarceration for domestic minor sex trafficking victims whose participation in commercial sex has been facilitated or induced by a third party.
145. Post human trafficking contact information on its website that includes a link to the Department of Children and Families' website  
<http://www.dcf.state.fl.us/initiatives/humantrafficking/>.

#### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

146. The DHSMV should expand human trafficking training for the Florida Highway Patrol.
147. The FHP Office of Domestic Security should focus a portion of their intelligence collection and dissemination efforts on human trafficking issues.

148. FHP officers and investigators should be made aware of the FDLE 40 hour advanced course on human trafficking and, where appropriate, be encouraged to take this course.
149. FHP should examine current agency protocols or directives to determine if they should be amended to include human trafficking information, including how to respond.
150. Private security firms who work at the majority of Florida's rest stops should receive training and information on how to detect and respond to human trafficking in highway rest stop areas.
151. The DHSMV should have all local and national human trafficking contact information available for its local staff and FHP officers and others throughout the state should build linkages with these local efforts. In particular, FHP officers who are already active on federal task forces should explore how to include human trafficking in current partnerships.
152. Offices of the DHSMV and local county tax collectors that issue driver licenses or registrations and titles for vehicles, vessels and motor homes should obtain and post human trafficking awareness information.
153. Human trafficking contact information should be posted electronically to the DHSMV web page to be readily available to officers and a link to the Department of Children and Families' human trafficking website: <http://www.dcf.state.fl.us/initiatives/humantrafficking/> should be added so that the latest information on human trafficking in Florida is available both internally and to the public who visit this site.

#### FLORIDA COMMISSION ON HUMAN RELATIONS

154. The Commission should expand training and outreach opportunities for staff and brainstorm how human trafficking can part of cases of employment discrimination, such as discrimination on the basis of national origin.
155. The Commission should provide local and national contact information about anti-trafficking organizations and their points of contact to staff throughout the state and encourage them to build linkages with these local efforts.
156. The agency should explore the ways in which current mandated information on employment rights which is distributed or posted at work sites can include information about human trafficking and places workers can go for help and information.
157. Commission communication efforts should continue to feature human trafficking (how to identify human trafficking, resources, local efforts, and work done by other similar organizations such as EEOC in conjunction with successful anti-trafficking prosecutions).
158. The Commission's website should continue to feature information on human trafficking and links to other key anti-trafficking information.



## STRENGTHENING SOCIAL SERVICES FOR TRAFFICKED PERSONS

159. The Florida Legislature should fund legal representation for trafficked persons throughout their respective immigration, criminal and civil cases in Florida.
160. Private foundations and other potential funders in Florida should fund legal representation so that trafficked persons could be represented in civil actions such as those authorized by the TVPA, civil rights enforcement, labor remedies and other private actions to which they may be able to obtain relief against traffickers. Often these actions include attorneys' fees as a form of relief and where this is not the case, funds recovered against the traffickers could be paid to the trafficked person and used to defray legal fees for their representation.
161. The Florida Human Trafficking Task Force, and other concerned citizens and organizations should inform Congress of the harms that the current standard of "extreme and unusual severe harm" is inflicting on trafficked persons and advocates should inform the Department of Homeland Security that regulations should be amended to clarify what this standard entails so that deserving trafficked persons can qualify for T visas for their efforts to assist in the prosecution of their traffickers.
162. The Florida Bar and other statewide and local bar associations should provide CLE programs for attorneys to learn about human trafficking and recruit *pro bono* attorneys to represent trafficked persons.
163. The Florida Supreme Court and the Florida Bar should dedicate a specific award to recognize lawyers that provide pro bono representation to trafficking victims.
164. The Florida Board of Bar Examiners should consider adding questions related to human trafficking to the Bar examinations so that law school might begin to incorporate human trafficking law into their curricula and students would become familiar with the idea of representing victims of trafficking.
165. Law schools in Florida should include courses or clinics relating to assisting human trafficking victims so that law students would become familiar with the need for pro bono legal representation for victims of human trafficking.
166. USCCB should consult with service provider recipients in Florida and assess ways it can improve services, including expediting its reimbursement process so that reimbursement occurs no later than 30 days after submission.
167. USCCB and other federal sources of funding should establish clear and open communication with state and local case managers so that they have adequate resources to provide victims with what they need throughout the lengthy process of interviewing, prosecutions, and adjudication of trafficking cases.
168. Law enforcement agencies should expeditiously review cases of potential victims of trafficking, certify victims where appropriate and pursue investigations so that qualified victims can gain meaningful access to social services.

169. The Legislature should fund and social service organizations should focus on providing a full range of appropriate transportation options for victims of trafficking. Options could include funding to provide taxi and jitney service vouchers, public transportation passes, insurance coverage for advocates and others, and for the purchase of vehicles.
170. The Florida legislature should provide increased funding for housing and training to providers of shelter services to ensure focused care for victims of human trafficking. Ideally, funding should allow for a menu of housing options so that communities around the state could collaborate and determine they type, size, staffing and other needs it has for housing victims of trafficking. Options could include providing additional assistance to already-existing shelter programs to accommodate and staff trafficking survivors, a housing voucher system, funding for hotels for short term stays and apartments or other facilities for longer term residence and funding for a shelter specifically for victims of trafficking.
171. The Legislature should establish a body to develop minimum standards for services for trafficking victims in Florida. This body should be comprised of members of long-established anti-trafficking victim services programs that use the victim empowerment model, certified domestic violence and sexual violence programs, representatives from law enforcement and key agencies of state government including the Departments of Children and Families and the Office of the Attorney General, representation from local anti-trafficking task forces or coalitions, mental health and substance abuse experts, an attorney with experience in representing victims of trafficking and others as needed. Standards should include all matters relevant to safe and effective assistance to trafficked persons.
172. Service providers should have staff that is specially trained in trauma care or have access to these critical mental health professionals.
173. Substance abuse programs and service providers who assist victims of trafficking should collaborate, cross train and assist one another as victims of trafficking often have substance abuse issues related to their enslavement.
174. Service providers should have access to language interpreters who can interpret for them in human trafficking cases.
175. Service provider staff should receive training that includes, where appropriate, basic, continuous and updated information as well as higher-level training for the trafficking points of contact at that agency.
176. Service providers should link with local anti-trafficking taskforces and coalitions and build strong collaborations with community partners to better assist victims of trafficking.
177. The legislature should amend state law to provide privileged communication for human trafficking advocates.
178. The Center for the Advancement of Human Rights (CAHR) should maintain an updated list containing the contact information for service providers, law enforcement, state agencies, prosecutors, and all other relevant parties and

participants in local and statewide taskforces and coalitions. In addition, CAHR should serve as a clearinghouse for coalition protocols, MOUs, toolkits, and any other useful information related to providing services to victims of trafficking.

179. Service providers, law enforcement, prosecutors and others who currently or should collaborate on human trafficking cases should develop and regularly revisit protocols and MOUs so that they can build respectful and productive partnerships, ensure regular and communication among one another and sustain effective, victim-friendly and supportive collaborations.
180. Through local task force and coalition meetings, service providers should develop and maintain a support network with other service providers so that they can mentor and inform one other on emerging trends in law, case management, partnerships with providers, and law enforcement issues, funding availability and other matters. This network has been achieved in some locations via a secured email list-serve, a biannual conference, and/or a list of confidential contact information.

## LAW ENFORCEMENT

181. Florida should promote the use of FDLE's statewide law enforcement database (InSite) that already contains a human trafficking crime sub-type that is part of the larger Violent Crime Module. As a database that is secure and accessible only to law enforcement officers, InSite has the capabilities to compile the following information that is crucial to trafficking investigations and prosecutions:
  - Addresses and telephone numbers related to ongoing investigations
  - Names and aliases of suspected traffickers
  - Arrests
  - Related vehicles and license plate numbers
  - Known criminal activities
  - Modus operandi of suspected traffickers
  - Related financial instruments
  - Businesses or contractors suspected of ties to human trafficking
  - Ownership information on massage parlors
182. Pro-active trafficking investigations should be pursued, and should replicate the same tactics used to combat organized crime or drug trafficking (i.e., use of confidential informants, wiretaps, and plea bargains with lower level perpetrators so as to prosecute "up the chain of command" of trafficking operations).
183. Florida should have a list of regional service providers throughout the state whom law enforcement officers can contact when there is a need a need for victim care and advocacy in trafficking investigations and law enforcement agencies should ensure that its officers are aware of this resource and have ready access to it.

184. Florida should consider deputizing local officers so as to allow them to cross jurisdictional or county lines when investigating human trafficking cases.
185. Law enforcement agencies should make general training on human trafficking available to all active duty sworn officers in Florida. Any required curriculum should be supplemented with shorter in-service trainings for front-line officers, including station briefings and roll-call trainings
186. Local law enforcement agencies should be given more training and support on how to investigate labor trafficking cases.
187. Non-governmental organizations (NGOs) should be pro-active in bringing human trafficking cases and leads to state and local law enforcement and law enforcement expeditiously should review cases and leads brought to them by NGOs. Law enforcement agencies, where appropriate, should expeditiously issue law enforcement certifications, to assist victims of trafficking in obtaining services and benefits for which they are eligible.
188. Non-governmental organizations should be mindful that they are not investigators, nor can they duplicate the role of law enforcement as rescuers of human trafficking victims. Rescue operations should be conducted only by sworn law enforcement officers in any situation where danger exists to a victim.

## APPENDIX A

### CHAPTER 2009-95 Committee Substitute for Committee Substitute for Senate Bill No. 168

An act relating to human trafficking; creating within the Department of Children and Family Services the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to serve without compensation or reimbursement for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Florida Statewide Task Force on Human Trafficking.—

(1) The Legislature declares that the purpose of this act is to create a public and private task force to examine and analyze the problem of human trafficking and to plan for a coordinated, humane response for victims of human trafficking through a review of existing programs, a clarification of existing options for such victims, and revised policy efforts to coordinate governmental and private efforts.

(2)(a) There is created within the Department of Children and Family Services the Florida Statewide Task Force on Human Trafficking, a task force as defined in s. 20.03, Florida Statutes. The task force is created for the express purpose of examining the problem of human trafficking and recommending strategies and actions for reducing or eliminating the unlawful trafficking of men, women, and children into this state.

(b) The task force shall consist of the following governmental members, or a designee:

1. The executive director of the Department of Law Enforcement, who shall serve as co-chair.
2. The Secretary of Children and Family Services, who shall serve as co-chair.
3. The Chief Financial Officer.
4. The Commissioner of Agriculture.
5. The Attorney General.
6. The State Surgeon General.
7. The statewide prosecutor.
8. The executive director of the Florida Commission on Human Relations.
9. The Secretary of Business and Professional Regulation.
10. A sheriff.
11. A police chief.

(c) The task force shall consist of the following nongovernmental members, or a designee:

1. The executive director of the Florida State University Center for the Advancement of Human Rights.
2. The executive director of the Florida Immigrant Advocacy Center.
3. The secretary of the Coalition of Immokalee Workers.
4. The executive director of the Florida Coalition Against Human Trafficking.
5. The executive director of the Florida Freedom Partnership.
6. The executive director of Gulf Coast Legal Services.
7. The executive director of the Florida Council Against Sexual Violence.
8. The executive director of the Florida Coalition Against Domestic Violence.

(d) The Governor shall appoint the sheriff and police chief by July 1, 2009. The Governor may appoint ex officio members at any time.

(e) Members of the task force shall serve without compensation or reimbursement for per diem and travel expenses.

(3)(a) The task force shall receive the Statewide Strategic Plan currently being formulated by the Florida State University Center for the Advancement of Human Rights. The strategic plan shall be presented to the task force at the first meeting of the task force no later than November 1, 2009.

(b) The work of the task force is to receive, revise, and propose a plan of implementation of the strategic plan no later than October 1, 2010.

(4) The Florida State University Center for the Advancement of Human Rights shall:

(a) Collect and organize data concerning the nature and extent of trafficking of persons in Florida and measure and evaluate the progress in the state in preventing trafficking, protecting and providing assistance to victims of trafficking, and prosecuting persons engaged in trafficking activities;

(b) Identify available federal, state, and local programs in this state which provide services to victims of trafficking, including, but not limited to, health care and human services, housing services, education services, legal assistance, job training or preparation classes, interpreting services, English as a Second Language classes, and victim's compensation;

(c) Evaluate approaches to increase public awareness of trafficking, particularly the risks of becoming a trafficking victim; the common recruitment techniques; the use of debt bondage, blackmail, forced labor and services, prostitution, and other coercive tactics; the crime victims' rights; and the reporting of recruitment activities involved in trafficking;

(d) Analyze the current state, local, and federal criminal statutes for their adequacy in addressing trafficking and, if the analysis determines that those statutes are inadequate, recommend revisions to those statutes or the enactment of new statutes that specifically define and address trafficking; and

(e) Consult with governmental and nongovernmental organizations, especially those specializing in stopping trafficking or representing diverse communities disproportionately affected by trafficking, in developing recommendations to strengthen state and local efforts to prevent trafficking, protect and assist victims of trafficking, and prosecute traffickers.

(5) The task force is abolished July 1, 2011.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor June 1, 2009.

Filed in Office Secretary of State June 1, 2009.

## APPENDIX B

Florida Statutes – ss. 39.301, 772.104, 787.05 - .06, 796.035, 796.045, 895.02 and Chapter Law 2009-95.

### **39.301 Initiation of protective investigations.--**

(1) Upon receiving an oral or written report of known or suspected child abuse, abandonment, or neglect, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, the central abuse hotline shall determine if the report requires an immediate onsite protective investigation. For reports requiring an immediate onsite protective investigation, the central abuse hotline shall immediately notify the department's designated children and families district staff responsible for protective investigations to ensure that an onsite investigation is promptly initiated. For reports not requiring an immediate onsite protective investigation, the central abuse hotline shall notify the department's designated children and families district staff responsible for protective investigations in sufficient time to allow for an investigation. At the time of notification of district staff with respect to the report, the central abuse hotline shall also provide information on any previous report concerning a subject of the present report or any pertinent information relative to the present report or any noted earlier reports.

(2)(a) The department shall immediately forward allegations of criminal conduct to the municipal or county law enforcement agency of the municipality or county in which the alleged conduct has occurred.

(b) As used in this subsection, the term "criminal conduct" means:

1. A child is known or suspected to be the victim of child abuse, as defined in s. 827.03, or of neglect of a child, as defined in s. 827.03.

2. A child is known or suspected to have died as a result of abuse or neglect.

3. A child is known or suspected to be the victim of aggravated child abuse, as defined in s. 827.03.

4. A child is known or suspected to be the victim of sexual battery, as defined in s. 827.071, or of sexual abuse, as defined in s. 39.01.

5. A child is known or suspected to be the victim of institutional child abuse or neglect, as defined in s. 39.01, and as provided for in s. 39.302(1).

6. A child is known or suspected to be a victim of human trafficking, as provided in s. 787.06.



**409.9531 Services to immigrant survivors of human trafficking, domestic violence, and other serious crimes.**--The Department of Children and Family Services shall establish a structure by which the department shall:

(1) Provide services to immigrant survivors of human trafficking, domestic violence, and other serious crimes, during the interim period between the time the survivor applies for a visa and receives such visa from the United States Department of Homeland Security or receives certification from the United States Department of Health and Human Services.

(2) Ensure that immigrant survivors of serious crimes are eligible to receive existing state and local benefits and services to the same extent that refugees receive those benefits and services.

(3) Ensure that immigrant survivors of serious crimes have access to state-funded services that are equivalent to the federal programs that provide cash, medical services, and social service for refugees.

(4) Provide survivors of serious crimes with medical care, mental health care, and basic assistance in order to help them secure housing, food, and supportive services.

(5) Create a state-funded component of the cash, medical, and social services programs for refugees for the purpose of serving immigrant survivors during the temporary period while they wait for federal processing to be completed.

(6) Provide that a sworn statement by a survivor is sufficient evidence for the purposes of determining eligibility if that statement is supported by at least one item of additional evidence, including, but not limited to:

(a) Police and court records;

(b) News articles;

(c) Documentation from a professional agency;

(d) Physical evidence; or

(e) A statement from an individual having knowledge of the circumstances providing the basis for the claim.

(7) Develop a public awareness program for employers and other organizations that may come into contact with immigrant survivors of human trafficking in order to provide education and raise awareness of the problem.

**772.104 Civil cause of action.--**

(1) Any person who proves by clear and convincing evidence that he or she has been injured by reason of any violation of the provisions of s. 772.103 shall have a cause of action for threefold the actual damages sustained and, in any such action, is entitled to minimum damages in the amount of \$200, and reasonable attorney's fees and court costs in the trial and appellate courts.

(2) As an alternative to recovery under subsection (1), any person who proves by clear and convincing evidence that he or she has been injured by reason of any violation of the provisions of s. 772.103 due to sex trafficking or human trafficking shall have a cause of action for threefold the amount gained from the sex trafficking or human trafficking and in any such action is entitled to minimum damages in the amount of \$200 and reasonable attorney's fees and court costs in the trial and appellate courts.

(3) In no event shall punitive damages be awarded under this section. The defendant shall be entitled to recover reasonable attorney's fees and court costs in the trial and appellate courts upon a finding that the claimant raised a claim which was without substantial fact or legal support. In awarding attorney's fees and costs under this section, the court shall not consider the ability of the opposing party to pay such fees and costs. Nothing under this section shall be interpreted as limiting any right to recover attorney's fees or costs provided under other provisions of law.

**787.05 Unlawfully obtaining labor or services.--**Any person who knowingly obtains the labor or services of a person by:

(1) Causing or threatening to cause bodily injury to that person or another person;

(2) Restraining or threatening to restrain that person or another person without lawful authority and against her or his will; or

(3) Withholding that person's governmental records, identifying information, or other personal property,  
commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**787.06 Human trafficking.--**

(1)(a) The Legislature finds that human trafficking is a form of modern-day slavery. Victims of human trafficking are young children, teenagers, and adults. Thousands of victims are trafficked annually across international borders worldwide. Many of these victims are trafficked into this state. The Legislature finds that victims of human trafficking are subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor.

(b) The Legislature finds that while many victims of human trafficking are forced to work in prostitution or the sexual entertainment industry, trafficking also occurs in forms of labor exploitation, such as domestic servitude, restaurant work, janitorial work, sweatshop factory work, and migrant agricultural work.

(c) The Legislature finds that traffickers use various techniques to instill fear in victims and to keep them enslaved. Some traffickers keep their victims under lock and key. However, the most frequently used practices are less obvious techniques that include isolating victims from the public and family members; confiscating passports, visas, or other identification documents; using or threatening to use violence toward victims or their families; telling victims that they will be imprisoned or deported for immigration violations if they contact authorities; and controlling the victims' funds by holding the money ostensibly for safekeeping.

(d) It is the intent of the Legislature that the perpetrators of human trafficking be penalized for their illegal conduct and that the victims of trafficking be protected and assisted by this state and its agencies. In furtherance of this policy, it is the intent of the Legislature that the state Supreme Court, The Florida Bar, and relevant state agencies prepare and implement training programs in order that judges, attorneys, law enforcement personnel, investigators, and others are able to identify traffickers and victims of human trafficking and direct victims to appropriate agencies for assistance. It is the intent of the Legislature that the Department of Children and Family Services and other state agencies cooperate with other state and federal agencies to ensure that victims of human trafficking can access social services and benefits to alleviate their plight.

(2) As used in this section, the term:

(a) "Financial harm" includes extortionate extension of credit, loan sharking as defined in s. 687.071, or employment contracts that violate the statute of frauds as provided in s. 725.01.

(b) "Forced labor or services" means labor or services obtained from a person by:

1. Using or threatening to use physical force against that person or another person;
2. Restraining, isolating, or confining or threatening to restrain, isolate, or confine that person or another person without lawful authority and against her or his will;
3. Using lending or other credit methods to establish a debt by that person or another person when labor or services are pledged as a security for the debt, if the value of the labor or services as reasonably assessed is not applied toward the liquidation of the debt, the length and nature of the labor or services are not respectively limited and defined;
4. Destroying, concealing, removing, confiscating, withholding, or possessing any actual or purported passport, visa, or other immigration document, or any other actual or purported government identification document, of that person or another person;

5. Causing or threatening to cause financial harm to any person; or
6. Fraud or coercion.

(c) "Human trafficking" means transporting, soliciting, recruiting, harboring, providing, or obtaining another person for transport.

(d) "Maintain," when used in relation to labor services, means to secure continued performance thereof, regardless of any initial agreement on the part of the victim to perform such type service.

(3) Any person who knowingly:

(a) Engages, or attempts to engage, in human trafficking with the intent or knowledge that the trafficked person will be subjected to forced labor or services; or

(b) Benefits financially by receiving anything of value from participation in a venture that has subjected a person to forced labor or services;

commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) The Criminal Justice Standards and Training Commission shall establish standards for basic and advanced training programs for law enforcement officers in the subjects of investigating and preventing human trafficking crimes. After January 1, 2007, every basic skills course required for law enforcement officers to obtain initial certification must include training on human trafficking crime prevention and investigation.

(5) Each state attorney shall develop standards of instruction for prosecutors to receive training on the investigation and prosecution of human trafficking crimes and shall provide for periodic and timely instruction.

**[Only portions relevant to trafficked children included to show stricken language; s. 796.035 is shown below as it appears in law.]**

**ENROLLED**

**2008 Legislature CS for CS for CS for SB 1442, 1st Engrossed**

**CODING:** Words **stricken** are deletions; words **underlined** are additions.

An act relating to exploited children; ... amending s. 796.035, F.S.; revising provisions relating to the sale or transfer of minors into sex trafficking or prostitution;... providing an effective date.

Section 2. Section 796.035, Florida Statutes, is amended to read:

796.035 Selling or buying of minors into sex trafficking or prostitution; penalties.--Any parent, legal guardian, or other person having custody or control of a minor who sells or otherwise transfers custody or control of such minor, or offers to sell or otherwise transfer custody of such minor, with knowledge that, as a consequence of the sale or transfer, ~~force, fraud, or coercion will be used to cause~~ the minor will ~~to~~ engage in prostitution, perform naked for compensation, or otherwise participate in the trade of sex trafficking, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**796.035 Selling or buying of minors into sex trafficking or prostitution; penalties.**--Any parent, legal guardian, or other person having custody or control of a minor who sells or otherwise transfers custody or control of such minor, or offers to sell or otherwise transfer custody of such minor, with knowledge that, as a consequence of the sale or transfer, force, fraud, or coercion will be used to cause the minor to engage in prostitution or otherwise participate in the trade of sex trafficking, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

**796.045 Sex trafficking; penalties.**--Any person who knowingly recruits, entices, harbors, transports, provides, or obtains by any means a person, knowing that force, fraud, or coercion will be used to cause that person to engage in prostitution, commits the offense of sex trafficking, a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. A person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if the offense of sex trafficking is committed against a person who is under the age of 14 or if such offense results in death.

**895.02 Definitions.**--As used in ss. 895.01-895.08, the term:

23. Chapter 787, relating to kidnapping or human trafficking.
25. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s. 796.05, or s. 796.07, relating to prostitution and sex trafficking.
32. Section 827.071, relating to commercial sexual exploitation of children

## APPENDIX C

Florida enacted a law in 2004 to penalize human traffickers, protect their victims, and to ensure that relevant public entities are able to identify traffickers and victims. Additionally, the intent was to provide a means for victims to access services designed to help them integrate into our communities once identified. In 2009, the Florida Legislature further enhanced their commitment to this issue by creating a Statewide Task Force on Human Trafficking under the auspices of the Department of Children and Families. This task force is co-chaired with the Florida Department of Law Enforcement. Its directive is to receive, revise and propose a plan of implementation of the strategic plan developed by the Florida State University Center of the Advancement of Human Rights. The Task Force will begin implementation plan development on October 1, 2010 and will issue its final Implementation Plan in January 2011. The Task Force will be abolished July 1, 2011. The law named nine governmental members to the Task Force. They, or their designees, served as follows:

Gerard Bailey, Executive Director of Florida Department of Law Enforcement (Co-Chair)

George H. Sheldon, Secretary, Department of Children and Families (Co-Chair)

Anne Gannon for Alex Sink, Chief Financial Officer

Lt. Charles Delgado for Charles Bronson, Commissioner of Agriculture

Emery Gainey for Bill McCollum, Attorney General

Jan Davis for Ana M. Viamonte Ros, State Surgeon General

William Shepherd, Statewide Prosecutor

Cornelius Brownlee for Derick Daniel, Executive Director of Florida Commission of Human Relations

John Powell for Charlie Liem, Interim Secretary of Business and Professional Regulation

The following sheriff and police chief were appointed by the Governor, as required under the law:

Gerald Monahan, Jr., Chief of Police of the City of Port Orange

Mike Scott, Sheriff of Lee County

The next eight non-governmental organization members were also required by statute to serve on the Task Force and they or their designees served as follows:

Terry Coonan, for the FSU Center for the Advancement of Human Rights

Ana Vallejo, for the Florida Immigrant Advocacy Center

Julia Perkins, for the Coalition of Immokalee Farm Workers

Luz Nagel, for the Florida Coalition against Human Trafficking

Suzy Cop, for the Florida Freedom Partnership

Kathlyn Mackovjak for Gulf Coast Legal Services

Jennifer Dritt, for the Florida Council against Sexual Violence

Nina Zollo, for the Florida Council against Domestic Violence

The Governor made the following five appointments ex officio per the legislation:

Michael McAuliffe, State Attorney, 15<sup>th</sup> Judicial Circuit

Walter A. McNeil, Secretary of Department of Corrections

Grace O'Donnell, Major of Special Victims' Bureau at Miami-Dade Police Department (retired)

Maria Lorts Sachs, State Representative, District 86

Floy Turner, AMBER Alert Liaison, Fox Valley Technical College

### **Task Force Meetings**

The Task Force met four times – two in person and two via conference calls. Each meeting was duly noticed and included public testimony and comment.

The first Task Force meeting was held on October 31, 2009 in conjunction with Florida's first Victims of Trafficking Summit held in Miami, Florida.

After this meeting the following six sub- committees were formed and were charged as described below.

#### **Criminal Justice Committee**

- Identify existing training, the requirements for participation, and the availability.
- Develop recommendations for content and frequency of training for local and state law enforcement agencies.
- Develop recommendations for content and frequency of training for judges and prosecutors.

#### **Law and Public Policy Committee**

- Identify legislation being developed, such as Florida Safe Harbor Act
- Develop plan for creation of Statewide Trafficking database

#### **Resource Committee**

- Identify existing training resources, coalitions, workgroups and task forces as well as social services programs dealing with human trafficking or providing services to victims.
- Identify gaps in services and programs.
- Create an electronic directory of resources that can be shared and put on the website.

#### **Education, Training and Public Awareness Committee**

- Create a strategy for a statewide human trafficking education and awareness

campaign.

- Develop list of resource people or groups to assist with the campaign.
- Develop budget needed for implementation.

#### **Special Populations Committee**

- Identify gaps in service and education pertaining to special populations such as minors, runaways, disabled, non-English speaking, and immigrants.
- Identify services to refugee population already in place.

#### **Domestic Minor Sex Trafficking Ad Hoc Committee**

- Address the creation of a system of care for these victims.
- Specifically focus on: definitions, legal status, treatment models, assessment Procedures, services, licensing of facilities and providers, safety and Security requirements, reporting requirements and funding.

A full report with recommendations from the committee is due no later than January 1, 2011.

The second meeting was held via conference call on January 25, 2010. Seventeen members called in to the meeting.

The members met in St. Petersburg on May 6, 2010 and eighteen members were present.

A second conference call was held on July 21<sup>st</sup>, 2010. Seven video-conferencing sites were set up around the state for easy accessibility by the members and the public.



## APPENDIX D

### Special Population Committee<sup>1</sup> Human Trafficking Analysis of Needs and Gaps

#### Domestic Adult

#### Medical Services

##### Needs:

- Pro-bono care until Medicaid is received
- Treatment may include, but is not limited to testing for communicable and reproductive health issues, substance abuse, and the victims overall physical and psychological well-being
- HIV/AIDS/STD testing, treatment and prevention education
- Trafficking victims may meet the requirements for Crime Victim Compensation funding under Florida Statute 960 that states injuries received because of the crime are reimbursed after law enforcement completes an accurate report or a supplemental report (if crime is later identified, example victim arrested for prostitution and then identified as victim of commercial sexual exploitation). Both physical and mental health services are available, mental health counseling and physical injuries are included, if those injuries are a result of the crime
- Trafficking victims with Certification letter are eligible for medical assistance. The time frame may be as long as eight months, during delay could receive refugee medical assistance
- Domestic victims can apply as regular US citizens for Medicaid benefits. The time frame to receive benefits varies from several days to months

##### Gaps:

- Medicaid may take a few weeks to be approved
- There is a need for more emergency Medicare providers
- Medical service providers listed under Medicaid may have a long waiting list to see new patients
- There may be fewer medical providers in rural areas

#### Dental Services

##### Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions etc.

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<sup>1</sup> This descriptive matrix was developed by the Special Populations Committee of the Statewide Task Force on Human Trafficking and is included here to provide further information regarding needs and gaps faced by victims of trafficking in Florida.

Gaps:

- Medicaid does not cover all the dental care services that may be needed
- There may be fewer dental providers in rural areas
- Urgent dental care

### **Mental Health Services**

Needs:

- Pro-bono care
- Crisis intervention expertise
- Recognition and treatment of Post Traumatic Stress Disorder (PTSD)

Gaps:

- If victim is a male, victim identification to dismiss the stigma is needed; training on human trafficking for counselors

### **Case Management**

Needs:

- Effective case management; proper referrals, victim centered approach

Gaps:

- Funding to ensure that victims are recovered, victims need to feel in charge and there needs to be an awareness of the language barrier that can possibly exist with some victims, especially victims with disabilities

### **Housing Assistance**

Needs:

- Housing with proper therapy, safe and relaxing environment, activities for guests so they are not confined to a room

Gaps:

- Many treatment programs are lacking; shelters are short-staffed and there needs to be more training for staff; difficult to find long term affordable housing

### **Legal Assistance**

Needs:

- Training for prosecutors, an increase in human trafficking investigations and prosecutions; pro-bono representation on civil cases
- Protection from trafficker

Gaps:

- Cases initiated by law enforcement, yet are not acted upon by attorneys
- Funding needed for attorneys to take these cases to court; untapped legal resources
- There needs to be a greater awareness of human trafficking
- Training for state agencies

## **Job Placement**

### Needs:

- Job training (filling out applications and proper interview techniques)
- Interpreter or availability to learn a new language to meet job requirements
- Childcare needs if becomes employed
- Life skills

### Gaps:

- They may not have had any special training on jobs
- Many victims lack employment skills
- Many victims have educational deficits/example no General Education Development (GED)
- Availability to English as Second Language (EASL) and GED classes

## **Transportation**

### Needs:

- Safe transportation

### Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited
- Lack of public transportation in rural areas

## **Food/Clothing**

### Needs:

- Age and trend appropriate clothing
- Money to purchase food

### Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments

## **Education and Training**

### Needs:

- Facilitating the registration for adult education classes when needed; job training
- Training so that instructors can develop a more individualized plan for students

### Gaps:

- Transportation to classes

### Medical Services

#### Needs:

- Pro-bono care until Medicaid takes place, including regular gynecological exams, birth control and pregnancy counseling and services
- These youth, if not enrolled in state custody services, may be estranged from their legal guardians or a victim of exploitation by their legal guardian. During the initial assessment phase, prior to determining custody, it is difficult to establish coverage for medical services
- Age appropriate HIV/AIDS/STD testing, treatment and prevention education
- Flexibility in choosing providers that best suit comfort level of youth, taking into special consideration the gender of youth and prior sexual trauma

#### Gaps:

- Medicaid may take a few weeks to be approved; medical service providers listed under Medicaid may have a long waiting list to see new patients
- Youth often end up in clinics or with health care plans that give them no choice in provider. Sexual trauma may make them more reluctant to be examined by men, for example, which causes them to avoid treatment. Consistency of care from a single provider who they feel comfortable with is essential to proper care

### Dental Services

#### Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions (wisdom teeth) etc

#### Gaps:

- Services need to recognize and assist trafficked victims; not all dental procedures are covered by Medicaid

### Mental Health Services

#### Needs:

- Pro-bono care
- Specialized therapist dealing with youth, Post Traumatic Stress Disorder (PTSD), and addictions
- Consistent care with one therapist that the youth connects with who follows the child through every agency / institution regardless of “billing issues”

#### Gaps:

- Services need to recognize and assist trafficked victims; assistance to overcome addiction problems when needed
- Services are often changed and cases closed when youth runaway or are transferred between agencies / institutions. Continuity of care is essential to building good rapport between therapist and youth in order to make substantial progress

### **Case Management**

#### Needs:

- The needs of youth victimized by trafficking and exploitation require a coordinated case staffing approach facilitated by a designated victim advocate or other specialist with trauma-based care training. In locations where there are specialized anti-trafficking programs, specialists from the program should be given a primary role in case management or consultation with foster care agencies regarding victims
- Victim centered approach
- Training in motivational interviewing techniques for all providers providing services
- In dependency cases, specific community based care agencies should be trained and designated to take these cases as transfer cases once they are discovered
- Diligent search specialists located Community Based Care (CBCs) agencies should take special care in locating biological parents of youth or the father of the youth's baby and in disclosing the youth's city of residence as they may be traffickers

#### Gaps:

- Funding to ensure that victims are recovered, victims need to feel in charge; case managers need to be aware of any disabilities
- Need for triage
- Youth need primary support person to develop a POSITIVE rapport with immediately upon discovery that will provide consistent support over the medium and long term and advocate for the youth's needs to other providers

### **Housing Assistance**

#### Needs:

- Specialized foster homes trained to meet the needs of trafficking victims
- Housing only that resides survivors together and facilitates a peer-support model, taking care not to integrate "at-risk" youth or youth that are recruiters, to increase safety for all youth
- Lack of long-term housing available for prior 18-year-old foster care youth who are now runaways
- The populations of youth between the ages of 18-21 are not legally minors but are often provided youth-based services, because they do not integrate culturally with adult services and do not feel safe in adult service facilities

- Residential options like the federal transitional living program, or state-based independent living program must be supported and expanded to provide successful services, supports, and opportunities for this critical “in transition” population, whether or not they are in dependency at the time they turn 18 years old
- Housing with proper therapy, safe and relaxing environment, activities for guests so they are not confined to a room
- Shelter staff may be the first to discover that a person has been a trafficking victim and need to be trained to identify and provide an immediate and intensive support role in order to facilitate appropriate service delivery and prevent youth from running away
- Training to be aware that individuals, who are placed for other issues such as truancy could be human trafficking victims
- Living stipends for aging out youth that have more flexible requirements

Gaps:

- Specialized emergency shelter and mid-long term residential facilities that are safe, and survivor and gender specific with 24-hour crisis counseling and support
- Individualized interventions that take into consideration positive relationships that youth are building with supportive adults. Priority should be given to any supportive relationships to provide consistency and stability for youth that may be running away. That may mean returning to positive foster homes after running away and “losing the bed” or being transferred between different agencies or “levels of care”
- There are no specialized homes designated for trafficking victims, although, victims will often identify those foster homes whose parents are positive and supportive. These homes can be recruited and specialized through training, much as they are for the URM program
- Many treatment programs are lacking; shelters are short-staffed and there needs to be more training for staff; difficult to find long term affordable housing
- Training to recognize that runaways might be a victim of trafficking or physical, mental and/or sexual abuse
- Lack of mental health support system
- Rural shelters do not have the referral network as in metropolitan areas
- Runaway shelters are not funded for initial intervention
- Transitional shelter and housing for community and dependency youth who age-out

**Legal Assistance**

Needs:

- Pro-bono legal services that will cross-over all courts to successfully provide continuity and advocate for youth in dependency, juvenile, family, and/or criminal and when the youth is the victim witness in federal or state cases against their traffickers

- Privacy. Ability to clear the court room or approach judge in chambers when discussing details of the sex trafficking
- Training for prosecutors; guardian ad-litem; public defenders, dependency court
- Domestic victims need a robust system of referrals for free, subsidized legal advice that supports the rule of law stating that no youth can legally consent to provide sex for services
- Despite the lack of need for evidence of force, fraud, or coercion, these youth are treated as criminals due to ancillary charges or lack of training for Law Enforcement Organizations (LEOs)
- Pro-bono legal services to assist in expunging records and cleaning up prior legal issues specifically related to the trafficking, including child custody when a biological parent is the trafficker

Gaps:

- Cases are made by local police yet are not acted upon by attorneys, needs to be a motivation to take these cases to court
- Untapped legal resources, training for state agencies
- Needs to also be a greater awareness of human trafficking
- Lack of continuity in legal advocacy with some issues not getting addressed due to complexity, lack of priority or lack of mandate

### **Job Placement**

Needs:

- Teenagers may want to work; proper job training and placement

Gaps:

- Lack of skill set and training for job placement
- Lack of available job options

### **Transportation**

Needs:

- Safe, accessible transportation at any hour, but particularly in the evenings for participation in after-school programs
- Runaway youth may need to be picked up late at night

Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited
- Lack of public transportation in rural areas
- Runaways are not always permitted to take public transportation alone
- Case managers, foster parents and Community Based Care (CBCs) agencies don't have sufficient resources or time to provide transportation

- Transportation often only provided through agencies up to the end of business hours, requiring youth to miss school in order to attend therapy and other programs

### **Food/Clothing**

#### Needs:

- Age, body type and trend appropriate

#### Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments, maternity and plus size clothing

### **Education and Training**

#### Needs:

- Available services/PACE Center for Girls; training on life skills for minors, and focus on the individual
- If available, school program that is linked with the specialized residential facility
- Flexible educational program that is individualized according to the ability of the victim to participate. For example, flexible hours, classes with other survivors, gender-specific classes, online classes
- Trained trust/guidance counselors that provide more intensive counseling and monitoring of school progress
- Increased school security to ensure at-risk youth do not get recruited/trafficked during school hours
- Proper psycho-educational assessments to determine learning disabilities

#### Gaps:

- Educational institutions where they can receive the proper and individualized assistance; training on trafficking for the educational center staff; centers where male victims can also receive support
- Adequate safety within public schools
- Lack of identification and specialized care for learning disabilities
- Trust counselors are being laid off due to budget cuts, but monitoring and care of emotional health of trafficking victims during school hours and having proper support is imperative to ensure educational success

## **Foreign Born Certified Adult**

### **Medical Services**

#### Needs:

- Medical evaluation and immunizations funded by Medicaid or Refugee Medical Assistance (RMA)



- Pro-bono care for an extended period of time

Gaps:

- Medicaid/RMA providers may not be available in all areas of the state
- Services need to recognize and assist trafficked victims, mobile medical units including vision, dental and gynecology; victims of trafficking may need assistance for a longer period of time (longer than the 8-10 month period allowed for certified victims)
- Culturally appropriate medical services, including HIV/AIDS/STD testing, treatment and prevention education

### **Dental Services**

Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions etc

Gaps:

- Not all the dental needs are covered by Medicaid, e.g. Medicaid only covers extractions for adults

### **Mental Health Services**

Needs:

- Victims may need counseling for extended period of time.
- Interpreters
- Mentorship

Gaps:

- Culturally competent and linguistically appropriate Medicaid/RMA mental health providers are not available in all areas of the state
- Better training for service staff, long term counseling; victim compensation (Florida Attorney General) is offered by a certain time frame; victims may not be ready for counseling immediately after they are rescued; some victims may not be ready for counseling until a few years after the trafficking has taken place and at that point the Attorney General's Office may not be able to pay for these services anymore

### **Case Management**

Needs:

- Clients need to have control of their lives as their freedom has been taken away before; they need to make their own choices
- Adult case management services (e.g. assistance with accessing services, referrals, etc.)

- Cultural competency training will be necessary to be able to understand the needs of victims and direct them to resources

Gaps:

- Staff needs to be aware and have proper training, in addition provide sufficient services; provide referrals for different services available
- Funding for case managers may not be available

### **Housing Assistance**

Needs:

- Housing with proper therapy, safe and relaxing environment, activities for guests so they are not confined to a room

Gaps:

- Housing with treatment sometimes re-victimizes the individual and the therapy does not cater to trafficked victims rather those with drug problems; shelters are short-staffed; difficult to find long term affordable housing
- Public housing units or appropriate housing may not be available in all areas of the state

### **Legal Assistance**

Needs:

- Training for prosecutors, an increase in human trafficking investigations and prosecutions; immigration and civil legal representation
- Coordination of local, state, and federal law enforcement authorities

Gaps:

- Cases are made by local police yet are not acted upon by attorneys, needs to be a motivation to take these cases to court; untapped legal resources; training for state agencies
- There needs to be a greater awareness of human trafficking
- Increase in funding and awareness on behalf of the staff
- Translations and interpreters must be available and already trained on human trafficking

### **Job Placement**

Needs:

- Job training as well as interviewing training and workplace behavior
- English class for those with insufficient English skills
- Short term trade skills jobs that are in need in the area (example: landscaping, services repair, welder, truckers, etc.)

Gaps:

- Many of the victims lack the skills to search for jobs; many jobs require on-line usage and they do not have the necessary computer skills to even apply for these jobs
- Many of the victims do not know English or their knowledge is very limited
- Matching grant job counseling and placement may not be available in all areas. Job Corps and One-Stop Career Centers may not be available in all areas

**Transportation**

Needs:

- Safe transportation to work, different appointments and events (churches, social events)
- Program that will allow victims to obtain a drivers license faster so they are more independent.
- Training on how to use public transportation

Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited
- Lack of public transportation in rural areas

**Food/Clothing**

Needs:

- Age and trend appropriate
- Money for food

Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments
- Lack of knowledge on where food assistance programs are available
- Refugee cash assistance does not cover all the needs

**Education and Training**

Needs:

- English classes; driving lessons; assistance with studying for driver's license test
- More opportunities for training (trade skills jobs)

Gaps:

- Not enough centers for training
- Trainings schedule must be in more flexible hours
- Trainings should be tailored for quick placement of victims in the workforce

## **Language/Interpretation**

Needs:

- Cultural specific information
- Culturally appropriate interpretation and translation services
- Language translation to different appointments and interviews

Gaps:

- Language capacity among all service providers
- Trained interpreters and translators are not available for all languages and in all areas

## **Foreign Born Certified Minor**

### **Medical Services**

Needs:

- Medical evaluation and immunizations funded by Medicaid or Refugee Medical Assistance (RMA)
- Pro-bono care for extended period of time
- Clear communication from state custody services and federal agencies that the youth qualifies for all services under state law or federal act such as the Runaway and Homeless Youth Act (RHYA)
- Culturally and age appropriate medical service, including HIV/AIDS/STD testing, treatment and prevention education

Gaps:

- Medicaid/RMA provider may not be available in all areas of the state
- Services need to recognize and assist trafficked victims, mobile medical units including vision, dental and gynecology; victims of trafficking may need assistance for a longer period of time (longer than the 8-10 month period allowed for certified victims)

### **Dental Services**

Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions etc

Gaps:

- Not all the dental needs are covered by Medicaid

### **Mental Health Services**

Needs:

- Victims may need counseling for extended period of time

Gaps:

- Better training for service staff, long term counseling
- Culturally competent and linguistically appropriate Medicaid/RMA mental health providers are not available in all areas of the state

### **Case Management**

Needs:

- Victim centered approach

Gaps:

- Staff needs to be aware and have proper training, in addition provide sufficient services; provide referrals for different services available
- Funding for case managers may not be available

### **Housing Assistance**

Needs:

- Culturally competent, safe, long-term housing option with a continuum of care that allows for a balance of supervision and independence
- Housing with proper therapy, safe and relaxing environment, activities for guests

Gaps:

- Treatment programs are lacking, housing with treatment often re-victimizes the individual and the therapy does not cater to trafficked victims rather those with drug problems. Shelters are short-staffed; difficult to find long term affordable housing
- Appropriate housing may not be available in all areas of the state

### **Legal Assistance**

Needs:

- Pre-negotiated referral system from public agency to private or public legal representation.
- Training for prosecutors, an increase in human trafficking investigations and prosecutions. In addition there needs to be a family re-unification plan in which victims do not wait a long periods of time to be with their family members again
- Coordination of local, state, and federal law enforcement authorities

Gaps:

- Cases are made by local police yet are not acted upon by attorneys, needs to be a motivation to take these cases to court; untapped legal resources; training for state agencies. There needs to also be a greater awareness of human trafficking. Increase in funding and awareness on behalf of the staff

## **Job Placement**

### Needs:

- Many minors feel the need to work and they feel an obligation to work to assist their family members in the home countries; many of them have been working for years and therefore find themselves in awkward situations when they are told that they cannot work

### Gaps:

- Finding the right placement to attend school and also find a part-time job to assist their family members

## **Transportation**

### Needs:

- Safe transportation
- Training on how to use public transportation

### Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited

## **Food/Clothing**

### Needs:

- Age and trend appropriate

### Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments
- Refugee cash assistance does not cover all the needs

## **Education and Training**

### Needs:

- Available services/PACE Center for Girls; English classes
- After school programs for the younger population

### Gaps:

- Educational institutions where they can receive the proper assistance; training on trafficking for the educational center staff; centers where male victims can also receive mental or psychological support
- Language and cultural barriers

## **Language/Interpretation**

### Needs:

- Cultural and age appropriate interpretation and translation services
- Access to on-site or online interpreter 24-7, 365. Participation in ESOL courses subsidized by state or federal funds under the McKinney Act

Gaps:

- Language capacity among all service providers
- Trained interpreters and translators are not available for all languages and in all areas

## Foreign Born Pre-Certified Adult

### Medical Services

Needs:

- Pro-bono care, access to medical care until certification

Gaps:

- Services need to recognize and assist trafficked victims, mobile medical units including vision, dental and gynecology
- Culturally appropriate HIV/AIDS/STD testing, treatment and prevention education

### Dental Services

Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions etc

Gaps:

- Not all the dental needs are covered by Medicaid
- Emergency Medicaid is not available for acute dental needs

### Mental Health Services

Needs:

- Staff needs to recognize and assist trafficked victims, access mental care
- Continued counseling that is specialized for sexual abuse, Post Traumatic Stress Disorder
- Cultural Competency Training

Gaps:

- Better training for service staff, long term counseling
- Bilingual staff

### Case Management

Needs:

- Victim centered approach but at the same time guidance to different procedures to seek services

Gaps:

- Staff needs to be aware and have proper training

## **Housing Assistance**

Needs:

- Housing with proper therapy, safe and relaxing environment, activities for guests

Gaps:

- Housing with treatment often re-victimizes the individual and the therapy does not cater to trafficked victims rather those with drug problems. Shelters are short-staffed; difficult to find long term affordable housing
- Training for the home/shelter staff

## **Legal Assistance**

Needs:

- Training for prosecutors, an increase in human trafficking investigations and prosecutions; immigration and civil legal representation

Gaps:

- Cases are made by local police yet are not acted upon by attorneys, needs to be a motivation to take these cases to court; untapped legal resources, training for state agencies. There needs to also be a greater awareness of human trafficking. Increase in funding and awareness on behalf of the staff

## **Job Placement**

Needs:

- Victims of trafficking express the need to work even before they receive a work authorization based on continued presence because their families depend on what they need for daily survival

Gaps:

- Job seeking skills training
- Not enough centers for training
- Trainings schedule must have flexible hours
- Trainings should be tailored to be able to quickly place victims in the workforce

## **Transportation**

Needs:

- Safe transportation

Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited
- Access to a driver license and insurance so they can become more independent



## **Food/Clothing**

Needs:

- Age and trend appropriate

Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments

## **Education and Training**

Needs:

- English classes; job training

Gaps:

- Need more training centers and more flexible schedule
- Classes and training have to adapt to the population in need

## **Language/Interpretation**

Needs:

- Language translation to seek different services

Gaps:

- Language capacity among all service providers

## **Foreign Born Pre-Certified Minor**

### **Medical Services**

Needs:

- Pro-bono care, access to medical care until certification

Gaps:

- Services need to recognize and assist trafficked victims, mobile medical units including vision, dental and gynecology
- Culturally and age appropriate HIV/AIDS/STD testing, treatment and prevention education

### **Dental Services**

Needs:

- Pro-bono care not limited to providing general prophylaxis, x-rays, fillings for cavities, crowns, bridges, treatment for periodontal disease, extractions etc

Gaps:

- Not all dental services are covered by Medicaid

### **Mental Health Services**

Needs:

- Victims may need counseling for extended period of time

Gaps:

- Better training for service staff, long term counseling

### **Case Management**

Needs:

- Victim centered approach

Gaps:

- Staff needs to be aware and have proper training, in addition provide sufficient services, and higher funding

### **Housing Assistance**

Needs:

- Housing with proper therapy, safe and relaxing environment, activities for guests

Gaps:

- Treatment programs are lacking, housing with treatment often re-victimizes the individual and the therapy does not cater to trafficked victims rather those with drug problems. Shelters are short-staffed; difficult to find long term affordable housing

### **Legal Assistance**

Needs:

- Training for prosecutors, an increase in human trafficking investigations and prosecutions; immigration and civil representation

Gaps:

- Cases are made by local police yet are not acted upon by attorneys, needs to be a motivation to take these cases to court; untapped legal resources, training for state agencies. There needs to be a greater awareness of human trafficking. Increase in funding and awareness on behalf of the staff. Resources for immigration representation are limited

### **Job Placement**

Needs:

- Many minors feel the need to work and they feel an obligation to work to assist their family members in the home countries; many of them have been working for years and therefore find themselves in awkward situations when they are told that they cannot work

Gaps:

- Finding the right placement to attend school and also find a part time job to assist themselves and their family members

## **Transportation**

Needs:

- Safe transportation

Gaps:

- Public transportation is not as reliable in certain areas of the state. For example, buses do not run to some areas and on the weekends may be very limited

## **Food/Clothing**

Needs:

- Age and trend appropriate clothing
- Money to buy food

Gaps:

- Many second hand stores provide vouchers for clothing; however many of them lack more specific items such as under garments

## **Education and Training**

Needs:

- Available services/PACE Center for Girls; English classes

Gaps:

- Educational institutions where they can receive the proper assistance; training on trafficking for the educational center staff; centers where male victims can also receive support

## **Language/Interpretation**

Needs:

- Language translation

Gaps:

- Language capacity among all service providers

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