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San Jose Police Department's Human Trafficking Task Force

by

Jennifer Shelton

A Thesis Quality Research Project
Submitted in Partial Fulfillment of the
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INTRODUCTION

A majority of studies conducted on human trafficking have been concerned with the issue on an international level, almost ignoring that a problem exists in the United States (Laczko, 2005). Even with the few studies that have been published on human trafficking in the United States, there is still a lack of studies that focus on the efforts of law enforcement agencies or non-governmental agencies that are in the fight against human trafficking (Laczko, 2005). This paper focuses on local level/city efforts to address and reduce human trafficking by way of concentrating on the individuals victimized by human trafficking. Specifically, this paper will study the local efforts of the City of San Jose, by examining the San Jose Police Department's (SJPD) Human Trafficking Task Force, and answering the following questions:

Is the City of San Jose's Human Trafficking Task Force fulfilling its purpose of combating human trafficking by arresting more human traffickers and supporting their prosecution, increasing the number of victims rescued, and increasing the number of people knowledgeable about human trafficking through public outreach?

Human trafficking is an illegal multi-billion dollar industry that affects 2.4 million victims worldwide (UN News Centre, 2011). The international industry is fueled by the increasing economic crisis and crime group exploitation of the desperate and poor (Oxford Analytica, 2010 and Finckenauer & Schrock, 2000). Human trafficking includes "forced servitude in a variety of different industries - prostitution, domestic service, manufacturing and agriculture" (Smith, 2011). Two of the most common methods of victimization are "(1) a scheme where victims are falsely promised one job and forced or coerced into another; and (2) a situation where victims choose or consent to a particular job in an industry or the commercial sex trade, but are deceived about working conditions" (Gozdziak & Collett, 2005). Once the victims

are transported from their country of origin, they do not have enough personal funds to return home. Thus, they are forced to continue their services until they are rescued or until they accumulate enough funds to return home. In addition to victims being forced into human trafficking, some voluntarily continue to be participants in the illegal industry.

Despite inhumane working conditions, many victims stay in the sex industry because of the financial compensation. They do not label themselves as victims and willingly engage in illegal activities because they believe the financial benefits are so much higher than what they believe they can earn elsewhere. They do not see any injustices in their industry. Thus, even when rescued, they immediately return to their trafficker for more business (Wadley, 2007). Regardless of whether individuals willingly or unwillingly engage in human trafficking, the number of victims in the United States is far greater than the resources available to intervene in their victimization.

Unfortunately for the victims of human trafficking in the United States, the United States joined the fight against human trafficking many years later than international organizations or local organizations in other countries. It is estimated that "700,000 people are trafficked annually throughout the world," (with 80 percent of the victims being women) "and of this number, 50,000 are trafficked from origins nations into the United States - making the United States the world's 'second largest destination for women and children trafficked for purposes of sexual exploitation in the sex industry'" (Richter, 2011 & Chuang, 2006). Not only is the United States a leading destination for human trafficking, but it is unfortunately also leading in domestic trafficking, as well. It is a common perception that individuals are only identified as victims of human trafficking when crossing international or state borders, leaving victims of domestic trafficking unrecognized (Richter, 2011).

There are approximately 100,000 to 300,000 American children who are victims of domestic trafficking annually (Richter, 2011). There has been an increase in domestic trafficking because it is an easy business for organized crime to engage in. "Organized crime and extremist groups are increasingly shifting their operations from drug and weapons trafficking to domestic minor sex trafficking, because children are easily accessible,...there is a huge consumer market for it, it is enormously profitable, and [there is] virtually no risk'" (Richter, 2011). It has been reported by the U.S. Congress "that the trafficking of women and children [is] the third largest source of revenue for organized crime worldwide, following closely behind drug and firearm trafficking" (Lee, 2005, 153). To address the rapidly growing illegal industry, the U.S. passed legislation for the purpose of decreasing criminal activities and rescuing victims.

In October 2000, President Clinton signed into law the Trafficking Victims Protection Act (TVPA). The Act defines trafficking in "two classifications: (A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or (B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery" (Gozdziak & Collett, 2005, 105). The TVPA "set standards for other countries with respect to prevention of human trafficking, prosecution of traffickers, and protection of victims, and designated itself the auditor of these activities (Gozdziak & Collett, 2005, 102). The TVPA also established a T-Visa, which allowed victims of human trafficking to remain in the United States to assist in an investigation or prosecution of a human trafficker (Gozdziak & Collett, 2005, 105). Even though the TVPA was significant at setting standards and signifying that the

U.S. was a participant in combating human trafficking, TVPA has not made a notable impact in decreasing the number of victims of human trafficking.

The number of human trafficking victims identified by law enforcement agencies is lower than estimates anticipated, raising concerns about anti-trafficking efforts (Farrel & Fay, 2009). From January 2008 to June 2010, only 2,515 human trafficking cases were opened by the federally funded task forces (U.S. Department of Justice, 2011 and Banks & Kyckelhahn, 2011). The small number of arrests indicates that international and national laws addressing human trafficking are not enough.

LITERATURE REVIEW

Presently, there is a lack of local level initiatives that address human trafficking first hand (Bernat & Winkeller, 2010). Many government agencies are unaware of human trafficking as a crime problem in their jurisdictions, including “83 of the largest police departments in the United States” (Richter, 2011). Thus, there is little or no training on the issue, causing the victims of human trafficking to be apprehended and incarcerated, rather than the real criminals - the traffickers. When human traffickers are apprehended, they are commonly still misidentified as pimps instead of human traffickers and receive lighter prison sentences under local laws - sometimes as short as 6 months - when they should be incarcerated for at least 10 years under to federal law (Richter, 2011). In addition to local government agencies not being knowledgeable about human trafficking, frequently they simply lack the capacity to address the issue because violence and drug crimes are priorities (Farrell, McDevitt & Fahy, 2008). Consequently, “police and prosecutors largely rely on non-governmental organizations to heighten public awareness

and deal with the aftermath, particularly when the focus is victim rehabilitation" (Hensley, 2011).

Despite efforts undertaken by the government, non-governmental organizations (NGOs) have played a more significant role in the fight against human trafficking and have "intervened where governments have failed to take the initiative" (Samarasinghe & Burton, 2007). End Child Prostitution, Child Pornography & Trafficking of Children for Sexual Purposes (ECPAT) is one of the first NGOs dedicated to the combating the international sex trade of children (Flowers, 2001). Even though ECPAT is specifically focused on children, its efforts can be modeled by other NGOs and government agencies. ECPAT tracks governments' actions against commercial sexual exploitation of children and uses that information to develop a training module for law enforcement agencies and to provide a policy model for other countries to follow (ECPAT International, 2011). In doing so, its efforts have helped implement and strengthen prostitution laws in many countries (Flowers, 2001).

In addition to influencing governments, public outreach is also an essential component to ending human trafficking. With more people knowledgeable about the subject of human trafficking, there are more people to create awareness on the issue, and there is a greater likelihood of finding and assisting victims. Vital Voices Global Partnership is a leading NGO that is "at the forefront of international coalitions to combat human trafficking and other forms of violence against women and girls" through public outreach (Vital Voices Global Partnership, 2011). It has trained over 10,000 women, who have returned home and mentored more than 500,000 women and girls in their communities (Vital Voices Global Partnership, 2011). In doing so, it has brought "together NGOs and policy makers to create a sound anti-trafficking policy" (Perkins, 2005). Even though Vital Voices is an international NGO and thus has a larger

audience, its ability to train one individual who ultimately trains at least five other women is exemplary. However, Vital Voices and other organizations that focus on public outreach cannot fight alone against human trafficking.

Victims should not have to rely solely on non-governmental programs for services. NGOs cannot provide the same legal protection that law enforcement can provide. As such, more state and local legislation is needed to protect victims of human trafficking (Richard, 2004). At the same time, local efforts often fail because victims of human trafficking often refrain from informing legal authorities because of the possible negative repercussions. That is, they fear corrupt officials and believe that public safety officers view them as victims who are "complicit with their own victimization" (Hodge, 2008 and Farrell, McDevitt & Fahy, 2008). Likewise, victims doubt they will receive services which will help them escape their traffickers. Even so, government agencies are a vital component because they "establish anti-human trafficking policies [and] strengthen law enforcement," and successful local efforts have been made to reduce human trafficking (Perkins, 2005).

In 2004, Florida enacted Statute 787.06 on human trafficking. Since there was a lack of knowledge of human trafficking at local agencies, and common misidentification of traffickers and victims, the legislation was amended in 2006, mandating human trafficking training at law enforcement agencies (Simon, 2008). Despite having legislation against human trafficking, local law enforcement agencies have failed at implementation. Only 45 percent of law enforcement officers have been properly trained on human trafficking. More than one-fourth of Florida's local law enforcement agencies do not practice community policing (the practice of communities and police officers collaborating to identify all types of crime, including human trafficking). In addition, 70 percent of NGOs claim that law enforcement agencies do not utilize their services

and a better relationship is needed (Simon, 2008). Without local law enforcement officers properly enforcing anti-human trafficking laws, Florida Statute 787.06 has little effect.

Unlike Florida's attempt to combat human trafficking, Arizona has been more successful at involving its local law enforcement agencies. In Phoenix, Arizona human trafficking is a major concern because Arizona borders Mexico (Goddard, 2008). The U.S.-Mexican border is a prime location for human trafficking and thus the illegal industry continues to grow (Zhang, 2007). To counteract the illegal activities, the Phoenix police force and state legislature took steps to allay human trafficking. In 2005, human trafficking was assigned to the Drug Enforcement Bureau and an anti-trafficking statute was passed making human trafficking a felony within Arizona (Bernat & Winkeller, 2010). Within a year, Arizona "arrested 160 smugglers, stopped more than 12,400 wire transfers and seized more than $15 million in funds" (Goddard, 2006). Although a major motivation for Arizona's efforts was to decrease illegal immigration, these efforts subsequently initiated a cornerstone statute against human trafficking, which can be used as a model for other states and cities.

In another local effort, in 2005 Governor Arnold Schwarzenegger signed California's first anti-human trafficking law, California Trafficking Victims' Protection Act, AB22, declaring human trafficking a felony (Wagner, 2010). The newly enacted law created the California Alliance to Combat Trafficking and Slavery (CA ACTS) Task Force to conduct searches and make recommendations to the Governor regarding human trafficking (California Alliance to Combat Trafficking and Slavery Task Force, 2007). CA ACTS recommended that local "law enforcement…[needed] training on how to recognize the signs of human trafficking and assist victims" (California Alliance to Combat Trafficking and Slavery Task Force, 2007). Even with legislation in place to address human trafficking issues, if local officials do not have the skill set

to locate, prosecute human traffickers, and protect the victims of human trafficking, California's anti-trafficking law will not be used to its full advantage.

The Orange County Human Trafficking Task Force (OCHTTF) has been successful at utilizing the state's legislation. Before California Trafficking Victims' Protection ACT was implemented, in 2004 the OCHTTF was created. The collaboration is a made up of local law enforcement agencies, non-governmental and faith based organizations, and the community. OCHTTF works to protect victims, successfully prosecute offenders and prevent further perpetration of human trafficking in Orange County. From 2006-2009, OCHTTF successfully assisted over 100 victims of trafficking (Orange County Human Trafficking Task Force, 2011). OCHTFF recognizes that without the involvement of local communities and knowledgeable police departments throughout the county, including Westminster Police Department and Anaheim Police Department, it would not have the capacity to assist as many victims.

As with Orange County, the City of San Jose also has an influx of human trafficking. The San Jose Police Department established the Human Trafficking Task Force in 2005. In the City of San Jose, the Human Trafficking Task Force works with local law enforcement agencies to focus on victims in the sex industry, most of whom are domestic trafficking victims. This Task Force was established after the City of San Jose received a $225,000 federal grant from the Bureau of Justice Assistance (BJA) to support its anti-trafficking work. The main objective of the Task Force was to create public awareness of human trafficking (Davis & Lisenbee, 2005). Since 2005, the Task Force has been reducing the number of victims of human trafficking by primarily focusing on public outreach. The Task Force's priority is to rescue victims and concentrate on protecting them. Because human trafficking is not as overt an operation as in Phoenix, Arizona (where the border to Mexico is closer), the City of San Jose needs to further

increase public awareness in order for victims to come forward, and to create public concern for human trafficking.

Without such transparency, the aforementioned issues surrounding victims will continue to exist. For example, victims will continue to fear local officials because of possible imprisonment or deportation, when in fact SJPD does not prosecute any individuals for illegal immigration, nor is it involved in any activities with illegal immigration, unless the U.S. Immigration and Customs Enforcement (ICE) agency demands assistance (Bernat & Winkeller, 2010). The City of San Jose's next step to combat human trafficking is to seek out additional funding for victim outreach and to further efforts to prosecute human traffickers. On October 18, 2011 the City of San Jose held a council meeting where the City Manager authorized the FY 2011 Enhanced Collaborative Model to Combat Human Trafficking Grant. The $500,000 federal grant comes from an agreement with the U.S. Department of Justice (City of San Jose, 2011b). More specifically, "over the two-year term of the grant, the City, as lead agency of the Task Force, will utilize the grant funds to work with the U.S. Attorney's Office and the Santa Clara County District Attorney's Office to prosecute human trafficking cases, and to continue to provide training to law enforcement professionals, educate health and social services agencies and victim advocates, and conduct public outreach regarding human trafficking" (City of San Jose, 2011a).

The Task Force has three specific goals. First, the Task Force will successfully prosecute and imprison human traffickers. Second, it will have six "Train the Trainer" seminars to educate individuals on the prevalence of human trafficking in following counties: Santa Clara, Santa Cruz, San Benito and Monterey. The SJPD's goal is to have an average of 100 participants per seminar, with 50 percent being law enforcement officers. "Train the Trainer" seminars will be

held at public locations. The specific locations have yet to be determined, but in the past they have been held at hotels and conference centers. Third, the Task Force plans to have small seminars at organizations at their request. It does not have a specific goal as to how many organization-based seminars it will hold. With the federal grant, San Jose Police Department's Task Force will be able to continue its efforts in creating public awareness about human trafficking, and to further its efforts in prosecuting human traffickers.

This research evaluates the outcome of City of San Jose's grant objectives and the subsequent funding usage. The Task Force is taking the initial steps to combat this crime by concentrating on individual victims of human trafficking. This evaluation will help to highlight these efforts so that other cities can replicate them to better combat human trafficking.

METHODOLOGY

The San Jose Police Department Human Trafficking Task Force has been in operation since 2005. It is appropriate to conduct a program outcome evaluation of the program in its current form to determine 1) whether it is achieving its goals; and 2) whether it is as efficient and effective as it could be in achieving its goals. The City of San Jose's budgeting process is based on performance measures, so it is appropriate to approach the analysis of the effectiveness of the Human Trafficking Task Force by assessing its performance in the attainment of its goals and anticipated outcomes. Federal agencies have recently been seeking to track the outcomes of their grants, not just the outputs, so outcome measurement for the Human Trafficking Task Force would also enhance their grant reporting capabilities. The White House Office of Management and Budget stated that future grant evaluation should "focus on outcomes not processes" (Lew, 2011).

An outcome evaluation leads to an analysis of the current strengths and weaknesses of the Human Trafficking Task Force's work, and to recommendations for enhancing its success.

The overarching goal of the San Jose Police Department's Human Trafficking Task Force is to end human trafficking and free those being held in involuntary servitude. The immediate goal is to lower the number of human trafficking events taking place within San Jose through the successful prosecution and punishment of human traffickers.

The City of San Jose's most recent grant designed to end human trafficking is the FY 2011 Enhanced Collaborative Model to Combat Human Trafficking Grant, a $500,000 agreement with the U.S. Department of Justice. The grant helps SJPD conduct the following activities to end human trafficking and rescue victims of human trafficking.

First, the San Jose Police Department, in partnership with federal agencies and the Santa Clara County District Attorney, tracks, arrests, and assists in the successful prosecution of human traffickers, who are sent to prison, fined and/or deported.

Second, the San Jose Police Department provides "Train the Trainer" seminars to personnel from other local law enforcement agencies on how to stop human trafficking, including identification, arrest and prosecution of human traffickers. Their goal is to create a law enforcement network that will identify human trafficking across jurisdictional boundaries in the following counties: Santa Clara, Santa Cruz, San Benito and Monterey.

Third, the San Jose Police Department provides training on human trafficking to health and social services agencies and victim advocates to bring them into the professional network to identify human trafficking, assist victims, notify law enforcement and assist with the prosecution of perpetrators. These trainings occur at the agencies' requests.

To evaluate the San Jose Police Department Human Trafficking Task Force, the author gathered the following data:

- how many human trafficking cases have been prosecuted,
- how many prosecutions have been successful,
- how many human traffickers have been punished with prison, financial restitution or deportation,
- and how many victims have been liberated and repatriated or given asylum in the United States?

Second, data were collected on implementation of the law enforcement training:

- how many law enforcement personnel "Train the Trainer" seminars have occurred,
- how many participants attended,
- and how many departments are actively involved in human trafficking interdiction and prosecution?

Third, data were collected on implementation of the health and human services training:

- how many basic training sessions for health and human services agencies and victim advocates have been conducted,
- how many professionals have been trained,
- and how many referrals they have produced?

A program outcome evaluation is necessary to determine if the Human Trafficking Task Force is achieving its purpose of stopping human trafficking, educating law enforcement professionals, health and social services agencies, victim advocates and the general public, to bring them into an anti-trafficking partnership. The training is designed to make the partners more knowledgeable, better able to identify cases of human trafficking, and able to inform the

police department or another appropriate agency when a human trafficking case is identified, or provide the victim with the appropriate resources.

The following table indicates how the author conducted the evaluation and determined the effectiveness of the program.

Table 1: Current Human Trafficking Task Force Program

PROGRAM	THEORETICAL GOAL	PROGRAM GOALS	PROGRAM FUNCTIONS	PROGRAM INDICATORS	PROGRAM MEASURES
San Jose Police Department's Human Trafficking Task Force	T1: To stop human trafficking in San Jose	G1: Stop human trafficking through arrests and successful prosecution of traffickers (T1)	F1: Find, arrest and prosecute human traffickers (G1)	I1: Incidence of new human traffickers cases (F1)	M1: Tracking of successful prosecution and imprisonment of traffickers (I1)
		G2: Get other law enforcement agencies involved in stopping the crime through arrests and successful prosecution of traffickers (T1)	F2: Conduct 6 "Train the Trainer" seminars (G2)	I2: Incidence of "Train the Trainer" seminars (F2)	M2: Tracking of new "Train the Trainer" seminars (I2)
		G3: Get health and social service agencies and victim advocates involved in identifying the crime, assisting the victims, notifying the police and assisting with prosecution (T1)	F3: Provide basic training sessions on human trafficking at local agencies (G3)	I3: Incidence of basic training sessions at local agencies (F3)	M3: Tracking of new law officers trained on the subject of human trafficking (I2)
					M4: Tracking of new individuals trained on the subject of human trafficking (I2-I3)
					M5: Tracking of new agencies trained on the basics of human trafficking (I3)

Below is a list of anticipated outcomes that were used to determine if the program reached its desired outcomes.

Table 2: Human Trafficking Task Force Anticipated Outcomes

PROGRAM MEASURES	ANTICIPATED OUTCOMES
M1: Tracking of successful prosecution and imprisonment of traffickers (I1)	AO1: Increase of successful prosecution and imprisonment of new human traffickers (M1)
M2: Tracking of new "Train the Trainer" seminars (I2)	AO2: Increase of "Train the Trainer" seminars (M2)
M3: Tracking of new law officers trained on the subject of human trafficking (I2)	AO3: Increase of law officers trained on human trafficking (M3)
M4: Tracking of new individuals trained on the subject of human trafficking (I2-I3)	AO4: Increase of individuals trained on human trafficking (M3-M4)
M5: Tracking of new agencies trained on the basics of human trafficking (I3)	AO5: Increase of contacts with agencies involved with human trafficking (M4)

FINDINGS

Findings from SJPD's Human Trafficking Task Force are shown in Tables 3 through Table 8. These findings will be used to evaluate the Task Force's actions.

Table 3 shows the number of human trafficking cases (Penal Code section 236.1) that have been brought to Santa Clara County District Attorney's Office. The earliest case filed was in 2009. A total of seven human trafficking cases have been brought to Santa Clara County District Attorney's Office.

- Four cases were filed from San Jose Police Department
  - Case Number - C1112821 (2011)
  - Case Number - C1225031 (2012)
  - Case Number - C1225663 (2012)
  - Case Number - C1227401 (2012)
- One case was filed from Santa Clara Police Department
  - Case Number - CC930225 (2009)
- One case was filed from Morgan Hill Police Department
  - Case Number - CCFF931370 (2009)
- One case was filed from Palo Alto Police Department
  - Case Number - Unknown (case has yet to be labeled with a case number)

Of the seven cases, the author was able to obtain information on two of the cases and the final disposition on one case. Below are the details of two court cases the author was able to obtain and the final disposition on one case, Case Number - CC9302225 (2009) Santa Clara Police Department and Case Number - C1227401 (2012) San Jose Police Department.

Case Number - CC9302225 (2009) Santa Clara Police Department

Case Number - CC9302225 (2009) was filed at Santa Clara Police Department on December 18, 2008. Police officials received a phone call informing them of two kidnapped girls. Timothy Raymond Richardson spearheaded the kidnapping with the accomplice, Robert Forrest Hendricks. The victims were kidnapped with the intention to force them into prostitution. One of the victims was able text through her cell phone and notified a family member of her and her friends' whereabouts. Both victims were rescued, and Richardson and

Hendricks were charged with Penal Code 266H(A) - Pimping where prostitute is an adult and Penal Code 236.1(A) - Human Trafficking (Richardson, 2009 and Hendricks, 2009).

On August 7, 2009, Robertson and Hendricks were convicted for Penal Code 266H(A) - Pimping where prostitute is an adult and for Penal Code 236.1(A) - Human Trafficking. Richardson pled guilty or no contest to both charges and was sentenced to five years of imprisonment for Penal Code 266H(A) and one year and four months of imprisonment for Penal Code 236.1(A) (Richardson, 2009). His total sentence of imprisonment is six years and four months. The co-defendant, Hendricks, also pled guilty or no contest to both counts and was sentenced for imprisonment for three years and three years of probation after his release (Hendricks, 2009). Both Robertson's and Hendricks' sentences started on September 4, 2009 (Richardson, 2009 and Hendricks, 2009). From the day of the arrest, it took approximately nine months for the human traffickers to successfully be prosecuted and imprisoned.

Case Number - C1227401 (2012) San Jose Police Department

Case Number C1227401 (2012) of San Jose Police Department, began on June 12, 2011. A 15 years old victim of human trafficking and prostitution was arrested on 1st/Alma in the City of San Jose. Unlike a majority of the victims identified by police officials, the victim admitted to being involved in "the game" of prostitution. She had already been in "the game" for two years and was pimped out in Palo Alto and San Francisco. The victim entered the sex industry not understanding all the services she would be forced to conduct, and what she would be entitled to as a sex servant. She repeatedly gave all her earnings to her pimp, sometimes $9,000 a month. Her earnings were attributed to $40 blow jobs and $60-$80 for sexual intercourse. The victim "fell for the dream" and accepted her pimps' words when they ensured her that one day she

would not have to continue in the sex industry and she would earn enough profits to support herself. She ignorantly believed her pimps because they provided her with food, shelter and new belongings, such as clothes (Shears, 2012).

The victim identified her pimp as Robert Shears. Shears is being charged for Penal Code 236.(c) - Human Trafficking under eighteen years of age and Penal Code Section 266i(b)(2) - procuring a minor under the age of sixteen for prostitution in violation of, a felony, on or about and between June 1, 2011 and August 31, 2011 (Shears, 2012). Shears is awaiting a court date, where he will plead guilty or contest the charges. Even though the final disposition has yet to be determined, SJPD is confident the prosecution and imprisonment of Shears will be successful with the victim's testimony and evidence from phone text messages.

Three of the seven human trafficking cases, Case Number - C1225031 (2012) SJPD, Case Number - C1225663 (2012) SJPD and Case Number - Unknown (case has yet to be labeled with a case number) Palo Alto Police Department, currently do not have a final disposition. Thus, the author could not include the three cases in the tracking of an increase in the prosecution and imprisonment of newly identified human traffickers.

The judge of Case Number - C1112821 (2011) SJPD has not released the court case file, thus the author could not identify the final disposition of the case and could not include it as a successful or unsuccessful attempt at prosecuting and imprisoning a new human trafficker. The author was also unable to obtain the court case file for Case F931370 (2009)Morgan Hill Police Department, and it is not included in the count of successful attempts at prosecuting and imprisoning human traffickers.

Even though three out of the seven cases are from outside SJPD, the Task Force believes the filing of those cases can be attributed to the Task Force's efforts to train individuals on

human trafficking at “Train the Trainer” seminars and at training sessions based upon agencies’ request.

Of all the seven cases since 2005, with the earliest being recorded in 2009, the author concluded:

- One successful attempt at prosecuting and imprisoning human traffickers
- One attempt that will most likely be successful
- Three cases that have yet to be determined
- Two unknown outcomes

Table 3: Number of Human Trafficking Cases (Penal Code section 236.1)

LAW ENFORCEMENT AGENCY	2005	2006	2007	2008	2009	2010	2011	2012
San Jose Police Department							1	3
Santa Clara Police Department					1			
Morgan Hill Police Department					1			
Palo Alto Police Department								1

(T. Harman, personal communication, March 23, 2012)

Table 4 shows the number of “Train the Trainer” seminars since the initiation of the Task Force in 2005. SJPD has held one “Train the Trainer” seminar each year since 2005. There have been a total of seven “Train the Trainer” seminars since 2005. From 2012 to 2013, the Task Force plans to have six “Train the Trainer” seminars. The dates have yet to be determined. The seminars will be used by the Task Force to educate individuals on the prevalence of human trafficking in following counties: Santa Clara, Santa Cruz, San Benito and Monterey.

Table 4: Number of "Train the Trainer" Seminars

2005	2006	2007	2008	2009	2010	2011	2012-2013
1	1	1	1	1	1	1	6

(J. Martinez, personal communication, February 29, 2012)

Table 5 shows the number and type of individuals that attended "Train the Trainer" seminars. The figures are shown are approximate, as the Task Force did not keep exact documentation of seminar attendees. According to the Task Force's records, approximately thirty percent of the attendees were law enforcement officers, sixty percent were victim service providers and ten percent were general concerned citizens. With 30-36 attendees being law officers per seminar, there is a total of 210-252 law enforcement officers who have been trained on human trafficking by the Task Force between 2005-2011. Approximately 420-504 victim service providers have been trained since 2005. In addition, approximately 70-84 general concerned citizens have been trained since 2005. Each seminar has had between 100-120 attendees, making a total of 700-840 individuals trained on human trafficking at "Train the Trainer" seminars since 2005.

Table 5: "Train the Trainer" Seminar Attendees

	2005	2006	2007	2008	2009	2010	2011	TOTAL
Law Officers	30-36	30-36	30-36	30-36	30-36	30-36	30-36	210-252
Victim Service Providers	60-72	60-72	60-72	60-72	60-72	60-72	60-72	420-504
General Concerned Citizens	10-12	10-12	10-12	10-12	10-12	10-12	10-12	70-84
TOTAL	100-120	100-120	100-120	100-120	100-120	100-120	100-120	700-840

(J. Martinez, personal communication, February 29, 2012)

Table 6 shows the number of expected "Train the Trainer" seminar attendees from 2012 and 2013. The Task Force plans to have a total of six seminars between 2012 and 2013, with three seminars occurring each year. If the seminars generate the same number of attendees as at previous seminars - 30-36 law officers, 60-72 victim service providers and 10-12 general concerned citizens - there will be a total of 90-108 law enforcement officers, 180-216 victim service providers and 30-36 general concerned citizens trained in 2012 and 2013, with three seminars occurring each year. If the expected enrollment in the seminars occurs, there will be a total of 600-720 attendees from 2012 to 2013, an increase of almost 86 percent of individuals educated on human trafficking over the total of individuals trained from 2005 to 2011, which was 700-840 attendees.

Table 6: Expected "Train the Trainer" Seminar Attendees

	2012	2013	TOTAL
Law Officers	90-108	90-108	180-216
Victim Service Providers	180-216	180-216	360-432
General Concerned Citizens	30-36	30-36	60-72
TOTAL	300-360	300-360	600-720

Table 7 shows a list of agencies that requested the Human Trafficking Task Force training between 2005 and 20011 for their staff on the prevalence of human trafficking, the indicators of a human trafficking victim and the options as to how to report a human trafficking incidence. There were eleven agencies that requested training sessions on human trafficking. The agencies are listed in alphabetical order, with no relation as to when the training sessions

occurred or how many individuals attended each training session. No new agencies have requested training sessions after 2011.

Table 7: Training Sessions Based Upon Agencies' Request

Agency	**Acronym**	**Level**
California Highway Patrol	CHP	State
Federal Bureau of Investigation	FBI	Federal
ICE Homeland Security Investigations	HSI	Federal
San Francisco Police Department	SFPD	City
San Jose Police Department	SJPD	City
Santa Clara County Adult Probation Department		County
Santa Clara County Juvenile Probation		County
Sunnyvale Department of Public Safety	SPD/SFD	City
United States Attorney's Office		Federal
United States Department of Labor		Federal

(J. Martinez, personal communication, February 29, 2012)

The following section describes each of the agencies trained.

California Highway Patrol (CHP) - The CHP provides "the highest level of safety, service, and security to the people of California" (California Highway Patrol, 2012). Through training the CHP, the Task Force has a wide range of individuals throughout California helping to identify human trafficking victims. Even though the Task Force is located in the City of San Jose and focuses on San Jose residents, the overall goal of the Task Force is to end human trafficking anywhere. Therefore, by training individuals who have a wider scope of work throughout

California, the Task Force can have a greater impact, thereby leading to more human trafficking victims being rescued, even outside of its jurisdiction.

Federal Bureau of Investigation (FBI) - The FBI helps protect the nation from the most dangerous threats, from cyber villains to child predators (The FBI Federal Bureau of Investigation, 2012). Because the FBI is one of the United States' leading investigation units, collaborating with them is advantageous to the Task Force. The expertise of the FBI can assist the Task Force in supporting the prosecution of human traffickers. In addition, even though the FBI is knowledgeable about human trafficking on a federal level, having a training session with the Task Force allows the FBI to be better equipped to assist the Task Force on the local level if needed.

ICE Homeland Security Investigations (HSI) - HSI is "responsible for investigating a wide range of domestic and international activities arising from illegal movement of people and goods into, within and out of the United States" (U.S. Department of Homeland Security, 2012). Some of HSI investigations include "immigration crime, human rights violations and human smuggling" (U.S. Department of Homeland Security, 2012). With specialized training from the SJPD's Human Trafficking Task Force, HSI special agents can better identify the type of human trafficking victims most likely to be in the City of San Jose. HSI can also better understand the legal procedures SJPD follows when investigating a human trafficking case.

San Francisco Police Department (SFPD) - Located north of the City of San Jose, SFPD is "committed to excellence in law enforcement and [is] dedicated to the people, traditions and

diversity of [its] City. In order to protect life and property, prevent crime and reduce the fear of crime, [SFPD] will provide service with understanding, response with compassion, performance with integrity and law enforcement with vision" (San Francisco Police Department, 2012). By collaborating with SFPD, the Task Force and SFPD can rely on one another when conducting a human trafficking case. Thus, if the Task Force identifies a victim but the crime is committed in San Francisco, outside of the Task Force's jurisdiction, it can easily cooperate with SFPD to investigate the case.

San Jose Police Department (SJPD) - SJPD is "dedicated to maintaining community partnerships which promote a high quality of life for the City's diverse population. The Department is committed to treating people with dignity, fairness and respect, protecting their rights and providing equal protection under the law" **(**San Jose Police Department, 2011**)**. Even though the Task Force is a part of SJPD, not all of the law enforcement officers are fully trained on human trafficking. The Task Force conducts training sessions with SJPD so that more law enforcement officers can be trained on the subject matter, and assist the Task Force with identifying victims and traffickers. Thus, the Task Force will have a greater opportunity for increasing the number of victims rescued and number of traffickers prosecuted and imprisoned within the City of San Jose.

Santa Clara County Adult Probation Department and Santa Clara County Juvenile Probation Department - Both Departments' mission "is to reduce crime and protect the community through prevention, investigation, and supervision services and safe custodial care for adults and juveniles. As an integral part of the justice system, the [Departments are] committed to building

partnerships with the community and restoring losses to victims of crime and the public through innovative programs that stress offender accountability and development of competency skills" (County of Santa Clara, 2011). By training the Departments, the staff can be more aware of signals that might lead them to believe their clients are involved in human trafficking or prostitution. By catching the signals early, it is hoped that parole officers can stop the illegal activities from occurring.

Santa Clara County District Attorney's Office - The Santa Clara County District Attorney's Office prosecutes human traffickers, so training from the Task Force is beneficial to ensuring a successful prosecution of the criminals.

Sunnyvale Department of Public Safety - Sunnyvale's Public Safety Department provides "police, fire, emergency medical services and a variety of prevention and community support functions to" its community (City of Sunnyvale, 2010). By training neighboring city employees, especially public safety employees, the Task Force can widen its network to encompass a larger population. In doing so, more individuals can help identify victims of human trafficking throughout Santa Clara County, instead of only the City of San Jose being aware of the prevalence of human trafficking.

United States Attorney's Office - "U.S. Attorneys are the chief federal law enforcement officers in their districts, responsible for federal criminal prosecutions and civil cases involving the United States Government (United States Department of Justice, 2012). Representing San Jose, San Francisco and Oakland, the Northern District of California received training from the Task

Force to better understand the activities of local law enforcement agencies in detecting , deterring and arresting human traffickers. Even though US Attorneys are knowledgeable about national and statewide human trafficking laws, understanding local laws and how local law enforcement departments address the issue of human trafficking leads them to better understand the procedure used in local human trafficking cases. If a local case reaches the U.S. District Attorney's Office, this knowledge will make it easier for the U.S. Attorneys to collaborate with local departments.

United States Department of Labor - The U.S. Department of Labor's mission is "to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improving working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights" (United States Department of Labor, 2012). Even though a majority the human trafficking in the City of San Jose is in the sex industry, the Task Force does identify victims of human trafficking in agriculture and in businesses such as restaurants and manufacturing (Oki, 2011). Such victims are unaware that their working conditions are not legally acceptable and thus do not report their employers. The Task Force training session with the U.S. Department of Labor enabled department employees to learn about local issues that the City of San Jose is facing, and the Task Force became more knowledgeable about the legal rights of the victims as workers.

Table 8 provides an overview of the findings of the Human Trafficking Task Force.

Table 8 - Human Trafficking Task Force Outcomes

PROGRAM MEASURES	OUTCOMES
M1: Tracking of successful prosecution and imprisonment of traffickers (I1)	O1: One successful prosecution and imprisonment of new human traffickers. One attempt that will most likely be successful at prosecuting and imprisoning new human traffickers. Three cases whose outcomes have yet to be determined, and two cases with unknown outcomes. (M1)
M2: Tracking of new "Train the Trainer" seminars (I2)	O2: Seven "Train the Trainer" seminars from 2005-2011. Six “Train the Trainer” seminars planned for 2012-2013. (M2)
M3: Tracking of new law enforcement officers trained on the subject of human trafficking (I2)	O3: From 2005-2011, there were 210-252 law officers trained on human trafficking. From 2012-2013, an estimated 180-216 law officers will be trained on human trafficking. (M3)
M4: Tracking of new individuals trained on the subject of human trafficking (I2-I3)	O4: From 2005-2011, there were 490-588 individuals trained on human trafficking. From 2012-2013, an estimated 420-504 individuals will be trained on human trafficking. (M3-M4)
M5: Tracking of new agencies trained on the basics of human trafficking (I3)	O5: Eleven outside agencies were involved in training programs for human trafficking from 2005-2011. No new agencies have been contacted after 2011. (M4)

ANALYSIS

This study was conducted using data from a fairly young program. Grant funding provides for a staff of two officers for the Task Force, with no clerical assistance. Lack of resources has made it difficult for the Task Force to adequately keep records of their efforts to fight human trafficking. For each seminar, the Task Force was only able to give approximations of how many individuals attended and their type of background (i.e. law enforcement, victim service provider and general concerned citizen).

The Task Force was also limited on its knowledge of attendees at trainings sessions based upon agency requests. In order for the Task Force to fully track its efforts and the number of

people being trained on the subject, the Task Force needs to keep records of each agency sponsoring or requesting training, the number of attendees, and each individual's contact information, profession, and any other information that the department could find useful for tracking the type of individuals who are being trained on human trafficking.

Even though the City of San Jose's grant with the U.S. Department of Justice states that the Human Trafficking Task Force will use funds to prosecute human trafficking cases, it does not seem as though that is the Task Force's focus (City of San Jose, 2011a). Looking at Table 3, since 2005 the City of San Jose has only had four case filings with the Penal Code section 236.1 - Human Trafficking, and three case filing under that Penal Code for outside police departments. The lack of human trafficking cases indicates that the Task Force has not been focusing primarily on prosecuting human traffickers. Understandably it is rare for victims to identify their traffickers, but the Task Force could take a more proactive approach to seeking out and arresting human traffickers. In Phoenix, Arizona, more than 100 human traffickers were arrested, indicating another local agency's method has been more productive (Goddard, 2006). In comparison to Phoenix, Arizona, the City of San Jose has not been as successful at apprehending human traffickers. However, the San Jose Task Force's main priority has been to conduct public outreach and assist the human trafficking victims, so under these criteria the Task Force has been successful.

Sergeant Kyle Oki, head of the SJPD Human Trafficking Task Force, stated that the Task Force's biggest priority is not targeted on the traffickers, but on the victims of human trafficking (2011). Finding, arresting and prosecuting human traffickers is a rare and difficult process. Nine out of ten times, victims of human trafficking in San Jose do not want the law enforcement agencies involved, and do not want to report their traffickers and/ or pimps. Many victims fear

for their physical well being. They do not want their lives to be threatened by their traffickers and/ or pimps. In addition, the undocumented victims believe they do not have the same legal rights as legal residents of America. The misconception is that they will be deported. In reality, SJPD does not focus its efforts on deportation. SJPD typically only supplies the manpower for deportation if ICE asks for assistance (Oki, 2011). Thus, instead of searching endlessly for a trafficker, the Task Force focuses on providing resources for the victims and rehabilitating them back into society, knowing its efforts will have a greater impact.

The Task Force works closely with two organizations, Santa Clara University Katharine and George Alexander Community Law Center and South Bay Coalition to End Human Trafficking (SBCEHT). Katharine and George Alexander Community Law Center provides pro bono advice and representation on immigration rights (Santa Clara Law, 2012). Victims can use the Katharine and George Alexander Community Law Center to help obtain a T-Visa and find other social resources that are available (Oki, 2011). The SBCEHT "[provides] services to victims of human trafficking; [raises] awareness of human trafficking through community education and outreach; and [provides] professional training to service providers" (South Bay Coalition to End Human Trafficking, 2012). Both organizations have been key to allowing SJPD to legally take action on human trafficking cases, while assuring victims that they will receive legal and social assistance. Unfortunately, not all victims take advantage of the available resources, making it difficult for the Task Force to track the number of victims rescued.

The Task Force can only provide resources for the victims; it cannot force the victims to use the resources. Thus, even though victims may state that they will use services provided by Katharine and George Alexander Community Law Center, the Task Force cannot guarantee the victims will not return to conducing illegal activities. However, the Task Force could track how

many victims they have referred to the Center, yet the Task Force has not done so. To better track its efforts, the Task Force should track how many victims they come into contact with, and what resources they have provided to the victim. In doing so, the Task Force could better evaluate its efforts at assisting victims.

To increase the number of opportunities to rescue victims, the Task Force initiated a public outreach campaign to train individuals on how to identify human trafficking victims. Before the San Jose Police Department's Human Trafficking Task Force initiated "Train the Trainer" seminars, it began conducting public outreach through advertisements on public busses in 2005. It also delivered public service announcements at movie theaters for six weeks at PG 13+ movies. The Task Force concluded that such public outreach actions were not successful. The advertisements provided limited information on human trafficking and brought a limited response. Instead of reaching a random group of individuals who view movies, the Task Force wanted to reach a selected audience who would find information on human trafficking useful. In addition, the Task Force wanted to be able to present more valuable information to the audiences.

To better educate a group of individuals who would benefit from the information, the Task Force created "Train the Trainer" seminars (Oki, 2011). Since 2005, the Task Force has had only seven "Train the Trainer" seminars. At each seminar there were approximately 100-120 attendees, with 30 percent being law enforcement attendees, 60 percent being victim service providers and 10 percent being general concerned citizens. Sergeant Oki indicated that the Task Force had a goal of having 50 percent of the attendees at "Train the Trainer" seminars be law enforcement officers, yet the Task Force did not reach its goal every year. To reach its goal, the

Task Force should place a bigger effort on contacting other police departments and training their officers.

In addition to increasing the percentage of law enforcement officer attendees, the Task Force also needs to increase the overall attendance rate. The Task Force emphasizes that its effort to stop human trafficking is focused on helping the victims through outreach and educating the public, yet there has not been a substantial growth of attendees throughout the years. The number of attendees has been consistent since 2005. The lack of increase indicates that the Task Force was not raising its goals of reaching more than 100-120 attendees per seminar. If the Task Force wants to increase the number of people educated on human trafficking to a significant percentage of all law enforcement officers and social service workers, the number of attendees at the seminars needs to grow. Setting a goal of increased attendance by 10 percent for each seminar would raise the number of attendees to 110-132 per seminar. It is small growth but reachable. Increasing the number of "Train the Trainer" seminars per year to six for 2012-2013 should also be beneficial.

With the current grant from the U.S. Department of Justice, the Task Force plans to have six "Train the Trainer" seminars over the two year grant period. If the six seminars are held as planned, the Task Force will achieve a significant improvement in the number of seminars and number of people trained. However, even though the Task Force plans to have more seminars, which will already substantially increase the number of individuals trained, the Task Force should increase its outreach to other law enforcement agencies and social services agencies to increase the number of attendees per seminar. If its outreach is successful in increasing attendance, it can work for a larger number of attendees per seminar in future years when there may not be adequate funding to offer more than one seminar each year.

In addition to “Train the Trainer” seminars for mixed audiences, the Task Force can have a greater impact by increasing the number of training sessions at individual law enforcement agencies. Since 2011, the Task Force has not had agencies request individual trainings. Even though the trainings are based upon agency requests, agencies typically request further training based on the Task Force’s “Train the Trainer” seminars or contact with the Task Force’s staff. Thus, by inviting more individuals from different agencies to “Train the Trainer” seminars, the Task Force will have a greater opportunity to influence outside agency members to request further training for their entire agency. In doing so, more agencies will be trained, increasing the number of individuals trained on human trafficking.

Unfortunately, the Task Force has not developed a system to track whether or not trained individuals have used their human trafficking education to identify victims. If trained individuals identify a victim and call the appropriate law enforcement agency, the recipient of the phone call does not ask the caller how he learned to identify such victims.

RECOMMENDATIONS

Recommendation 1. The San Jose Police Department Human Trafficking Task Force would benefit from collecting course evaluations from the students in the “Train the Trainer” and law enforcement agency classes.

This study focused on the Task Force’s efforts at tracking the number of successful prosecutions and imprisonments of traffickers, new “Train the Trainer” seminars, new law enforcement officers trained on the subject of human trafficking, number of individuals trained on the subject of human trafficking and new agencies trained on the basics of human trafficking. It did not study whether law enforcement officers or individuals were successfully trained on the

subject and how much knowledge they obtained from the training. If a “Train the Trainer” seminar or a basic training session delivered upon an agency request occurred during the time of the study, a questionnaire could have been given out to attendees.

The questionnaire could include items that would test the attendees’ knowledge on human trafficking subjects covered in the class to see if they retained the information. The questionnaire could also include an evaluation of the seminar’s usefulness and relevance. Post tests and class evaluations are tools commonly used in outcome evaluations. A sample of potential questions follows.

For questions #1-2, please circle your answer, with 1 being the lowest score and 10 being the highest.

1. How informative do you think this seminar/ training session was on human trafficking?

   1 2 3 4 5 6 7 8 9 10

2. How confident do you feel at identifying a victim of human trafficking?

   1 2 3 4 5 6 7 8 9 10

3. What information do you think future seminars/ training sessions should include to help attendees be more knowledgeable on the subject of human trafficking?

Questions #1-3 would help the Task Force evaluate itself and the materials presented to determine whether it was effective at training individuals on human trafficking. Depending on the outcome of the questionnaire, the Task Force could modify delivery methods to make the information more useful to attendees.

Recommendation 2. Task Force members should collect better data on the attendees at future training programs funded through the federal grant.

In the future the Task Force should provide a sign-in sheet at every training session that would collect the name and contact information for each attendee, the agency each represents, the attendee's profession, and any other information that the department could find useful for tracking the type of individuals who are being trained on the human trafficking. Contact information may be useful at providing newsletters and/ or e-blast to attendees with human trafficking updates, including new resources available to victims and new services provided by the Task Force. Previous attendees may want to be contacted in the future and attend upcoming "Train the Trainer" seminars if they feel they need to be retrained on materials, or if they know another individual who may be interested in attending. Such sign-in sheets would also provide an exact number of attendees by session and category, useful information for grant reporting and to justify additional grant requests.

Recommendation 3: The CAD system call taker log should be updated to include more information on callers who report human trafficking.

Such a tracking system would more clearly demonstrate the value of the various human trafficking training programs. A questionnaire could be developed for use in San Jose Police Dispatch by the call takers anytime they were taking a human trafficking report. It is possible that some information might be embedded in the CAD system that could record crucial information like the caller's name and contact information, whether he or she ever attended a human trafficking seminar, and whether the seminar attended was a "Train the Trainer" or a training at the agency's request. If neither of these options were the appropriate answer, the caller would need to specify if he or she received information from someone who attended either

of those trainings, or if he or she had the knowledge from his or her own education or experiences. The collection of information could be brief, but Task Force members could then follow up with the caller to get more details.

Information available through the CAD system would also provide statistics that could be useful in demonstrating the outcomes of the Human Trafficking Task Force and its grant program.

CONCLUSION

The City of San Jose's Human Trafficking Task Force has fulfilled its purpose of combating human trafficking by arresting more human traffickers and supporting their prosecution and increasing the number of victims rescued. More recognition can be given to the Task Force's efforts at increasing the number of people knowledgeable about human trafficking through public outreach, currently estimated to be 700-840 law enforcement officials, agency representatives and individuals.

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