

Steven C. McCraw
Director
Texas Department of Public Safety
May 15, 2014

Dear Members of the Joint Interim Committee to Study Human Trafficking:

Thank you for the opportunity to testify before you today on a matter of utmost importance to the State of Texas and the nation. Human trafficking is not only a crime; it is evil. And the pervasive sex trafficking of children is proof that the depravity of man has no limits.

Every day sex traffickers entice, deceive, threaten, beat, imprison, rape and force children and adults into the commercial sex industry, which is the most prevalent form of human trafficking in Texas and the nation. These despicable criminals use a variety of ways to recruit their victims, including social media. We have discovered that the younger the child is, the greater the profit in this industry, and according to one academic study, on average, female sex trafficking victims are first victimized between 12 to 14 years of age.

Labor trafficking is even more difficult to detect than sex trafficking and exists primarily in our immigrant communities. Its victims include both legal and illegal immigrants, who are often isolated, threatened, beaten and forced to pay off unending debt.

Human trafficking is hidden under a veil of underreporting. I can tell you how many vehicles were stolen in the cities of Houston, Dallas and San Antonio; but no one can tell you how many times children were prostituted on the streets of these cities. Under severe duress, these victims seldom report, and when they do, it is not reflected in the Uniform Crime Reporting (UCR) index crime statistics.

Similar to the honorable members of this joint committee, the citizens of Texas have great compassion for human trafficking victims and great disdain for those who prey upon them. The State Legislature and leadership of Texas have been on the forefront in combatting human trafficking. In 2003, Texas became one of the first states to pass human trafficking legislation. In subsequent sessions, legislation has been passed to assist victims of trafficking and to increase penalties for those who traffic in people, particularly children. In 2013, the Texas Legislature passed legislation that increased penalties for trafficking, increased victim identification and services, and provided resources to better detect and interdict human trafficking in Texas.

The Texas Department of Public Safety (DPS) recently collaborated with local, state and federal agencies to produce the *2014 Texas Human Trafficking Assessment* using the collective information and perspectives of several agencies across the state, including the Houston Police Department, Austin Police Department, Texas Office of Attorney General, Texas Department of Criminal Justice, Federal Bureau of Investigation, U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Department of Justice, U.S. Department of State, Human Smuggling and Trafficking Center, and the National Center for Missing and Exploited Children. This law enforcement sensitive assessment was provided to the Texas Legislature and the state leadership on March 19, 2014. We have included an unclassified copy of this report in our submitted testimony before you, which will be publically released later today. In Texas, *human trafficking involves the recruitment, harboring, transporting, or procurement of a person for labor or services for the purpose of involuntary servitude, slavery, or forced commercial sex acts.*

Developing a comprehensive understanding of human trafficking requires the consideration of multiple related offenses, such as compelling and promotion of prostitution, sexual exploitation, forced labor, human smuggling and other crimes. The victims are males and females of different ages, nationalities and socioeconomic classes.

I would like to share with you some of the findings in the *2014 Texas Human Trafficking Assessment*:

- Sex traffickers in Texas target juvenile runaways, illegal aliens and other vulnerable victims, using force, fraud or coercion to compel them into the sex trade. Under Texas and federal law, force, fraud and coercion are not necessary elements of sex trafficking when minors are involved. Victims are often manipulated by traffickers to remain with them due to their emotional or financial dependency on the trafficker for food, housing and other needs. Sex trafficking is conducted by single individuals, small groups, organized networks and gangs; and the younger the child victim is, the more profitable.
- Members and associates of multiple gangs have been reported to be involved in sex trafficking operations in Texas. These gangs include Barrio Azteca, Black Gangster Disciples, Bloods, Crips, Mara Salvatrucha, Sureños, and Tango Blast. Gangs and gang members are attracted to the lucrative nature of this activity due to the potential for large and renewable profits while the risk of detection is perceived to be lower than traditional crimes.
- Labor traffickers often recruit, transport, and employ the legal and illegal immigrants they bring into the United States for the purpose of forced labor and indentured

servitude. These immigrants originate from various countries around the world. Labor trafficking victims can be exploited in both rural and urban areas in a variety of industries. There is limited reporting regarding labor trafficking in Texas.

- Human smuggling is distinct from human trafficking; however, there is substantial overlap in many cases. In some instances, human smugglers have been hired specifically to transport sex trafficking victims. In many other cases, crimes that initially begin as human smuggling evolve into human trafficking or a related crime; for instance, illegal aliens may voluntarily enter into an agreement with an alien smuggling organization, but are ultimately kidnapped, ransomed, assaulted or otherwise exploited.
- Mexican cartels facilitate, control or benefit from nearly all human smuggling activity along the Texas-Mexico border. Alien smuggling organizations are increasingly active in Texas, as reflected in the increasing number of illegal alien apprehensions. In FY2013, 243,550 illegal alien apprehensions were reported in Texas sectors, a 94 percent increase since FY2011. This figure includes 28,352 apprehensions of unaccompanied alien children (UAC), a 221 percent increase from FY2011. UACs are often brought to the U.S. to be reunited with family members, and they are particularly vulnerable to exploitation.

Human trafficking is multidimensional, and to effectively combat it in our major cities and elsewhere requires a three-pronged approach: first is the collection, centralization and analysis of timely data; second, is the seamless coordination of efforts across jurisdictions and disciplines; and finally, it requires the execution of proven strategies that are mutually reinforcing.

In 2009, the Texas Legislature established and directed the Texas Human Trafficking Prevention Task Force, chaired by the Texas Attorney General, to make legislative recommendations to address human trafficking prior to each session. As a result, the 82nd and 83rd Texas Legislatures acted upon the task force's recommendations.

In 2013 the task force and the Texas Office of Attorney General produced a human trafficking prevention manual for criminal justice professionals to educate law enforcement officers, prosecutors, parole officers, social workers and others who may come in contact with victims of trafficking.

In 2009, DPS – working with the Federal Bureau of Investigation's Behavioral Analysis Unit and the National Center for Missing and Exploited Children – developed the Interdiction for the Protection of Children program (IPC) to train patrol officers on the detection, interdiction and rescue of child victims of sex trafficking and exploitation, and the proper handling of such cases.

We have provided IPC training to more than 3,030 officers in Texas and approximately 4,080 officers outside of Texas. We are working with the International Association of Chiefs of Police to expand this training across the country because children are being traded and transported throughout the nation on a regular basis to meet the high demand for child sex – some at ages too young to imagine. For most of these children, a skilled and well-informed patrol officer is their only hope of being rescued.

Texas state troopers rescued 39 children in 2013, and 29 children in 2012. And remarkably, since 2010, DPS can account for more than 100 IPC-related child recoveries by troopers and police officers.

One of these rescues occurred in 2013, when a Texas State Trooper conducted a traffic stop and identified a child who was reported as missing and disclosed that she had been compelled into prostitution. She provided information about another child victim, which led to the identification and recovery of the second child from the sex industry as well as the arrest of the subjects.

Importantly, IPC training enables Texas state troopers and officers to identify members of child sex associations, such as “Child-Lovers,” “Girl-Love,” “Boy-Love” and “Online-Pedophile Activism,” who support the sexual exploitation of children. The training has resulted in the arrest of suspects carrying child lures, duct tape, lubricants, condoms and child pornography before they could prey upon a child and then share the horrific video images of their crimes among this vile and deviant subculture.

For example, in one of these cases, a trooper conducted a traffic stop of a van driven by a registered sex offender with a previous conviction of indecency with a child. The driver was in possession of a puppy, several large knives, Hello Kitty shirts, girls’ underwear, hairbands, lubricants, rope, duct tape and child pornography.

Although, the possession and sharing of child pornography does not meet the legal definition of human trafficking, the high demand for these images results in child victims of commercial sex trafficking here and around the world. Texas currently has 80,173 registered sex offenders, of which 60,704 – or 72 percent – involve at least one offense with a child victim. There are several ways in which children are recruited into the commercial sex industry – one of which is through the Internet. In Texas, the Office of the Attorney General works with the National Center for Missing and Exploited Children and the U.S. Department of Justice as part of a wider network to identify, arrest and prosecute adults seeking to entice children into sexual relationships and/or into engaging in commercial sex over the Internet. Since this initiative

began in 2008, this effort has resulted in 351 arrests and 414 convictions related to sex crimes against children.

In Texas, the local, state and federal law enforcement community work closely together in each of our major cities to conduct criminal enterprise investigations and prosecutions to target networks, organizations and gangs engaged in human trafficking, primarily commercial sex.

For example, agents and officers from eight different agencies assigned to the Houston Human Trafficking Task Force investigated an international sex trafficking group that resulted in the arrest and indictment of 14 people operating bars/brothels in the Houston area. In this case, young undocumented Mexican women and girls were forced to perform commercial sex acts through a combination of means, including the use of locked rooms, threats and beatings.

Local law enforcement agencies in Texas routinely target sex trafficking at sexually-oriented businesses and other locations being used for this purpose. Frequently these initiatives uncover larger conspiracies involving the sex trafficking of children in other cities.

A significant factor of human trafficking in Texas and elsewhere is a porous international border with Mexico, which places hundreds of thousands of people destined for the U.S. in the hands of ruthless criminal organizations who exploit them on both sides of the Texas/Mexico border. The women and children are particularly vulnerable to being sexually assaulted by members and operatives of these organizations, and by criminal aliens already in the United States. ICE recently announced that they deported 860 criminal alien sex offenders from Texas in FY2014, of which 27 percent of these foreign sex offenders were convicted of sex crimes against children. ICE deports more than 2,000 of these sex offenders from Texas a year, and we will continue to assist them in any way we can.

We are not able to discern what percentage of the crimes committed by criminal aliens in Texas is related to human trafficking; however, we do know they seek out and commit crimes in our immigrant communities. Between October 2008 and January 2014, 172,157 criminal aliens were arrested and booked into Texas jails for committing 591,500 different non-immigration crimes, including 2,939 homicides, 7,470 sexual assaults, 6,940 robberies, 1,026 kidnappings, 71,527 assaults and 4,044 terroristic threats.

Texas-based gangs' involvement in the transportation of drugs and people provides them access to illegal aliens, who they extort, rape and compel into prostitution. Just as gangs have learned that prostitution is highly profitable with perceivably low risk, so have other criminal organizations, many now exclusively focused on commercial sex and frequently leveraging social media to minimize detection and maximize profits.

As long as the border with Mexico remains unsecure and the nation's demand for the sexual exploitation and indentured servitude of people remains high, Texas will suffer the consequences of being a transshipment and destination center for drug and human trafficking. Those consequences include increases in the deaths of illegal aliens in remote areas, increases in felony vehicle pursuits, pseudo police stops, corruption and home invasions.

The State of Texas has committed substantial resources to assist our federal law enforcement partners with its vital mission of securing our border with Mexico. This effort is essential to public safety, homeland security and combatting human trafficking in our major cities and elsewhere. We will continue to proactively address significant threats to the people of Texas with our local and federal partners rather than react to them. In Texas, there is no greater priority than protecting our children, so we recently established the Texas Crimes Against Children Center (TCACC) in Austin within the Texas Ranger Division at DPS as part of a multidisciplinary approach to identify and rescue child victims of sex trafficking and sexual assault along our highways and in our cities. The TCACC also provides information and resources related to these crimes that result in the incarceration of the vilest criminals in our state who seek to rob the innocence of children – our most precious resource.

Lastly, I would like to say that what you measure matters. Today's Index Crime Rate categories do not reflect many serious crimes, such as the sex trafficking of a child, kidnapping and extortion which gives the public a distorted view of the crime environment in which they live. Until the sex trafficking of a child and other related crimes are reflected in the Index Crime Rate or until the National Incident Based Reporting System (NIBRS) is fully adopted, these horrific crimes will not receive the visibility and prioritization they warrant. Nevertheless, I can assure you that in Texas, we will continue to work together with our many partners to address these deplorable crimes, pursue the suspects and protect the victims.