

ISSUE BRIEF

COMPONENT 6.1

Area of Law	Criminal Justice Tools for Investigation and Prosecution
The Policy Goal	Training on human trafficking and domestic minor sex trafficking for law enforcement is statutorily mandated or authorized.
The Reason	Law enforcement officers are very often the first responders in a domestic minor sex trafficking situation. Providing them with the awareness, skills, and tools necessary to respond appropriately and effectively is critically important. Given limited time and competing priorities, mandatory training on issues of domestic minor sex trafficking will result in an increase in enforcement and successful prosecutions. Training will also lead to implementing protocols across the law enforcement community to enhance officers' ability to detect a trafficking situation and to work effectively with trafficking victims. The objectives of many anti-trafficking task forces include working collaboratively to identify victims, convict traffickers, and implement unique agency policies and procedures for victims of sex trafficking given limited community resources.

Examples of Legislative Solutions

Few states mandate or authorize training, or development of training, specifically on domestic minor sex trafficking. The following are examples of state laws that mandate or authorize training or development of training for law enforcement on human trafficking issues broadly.

California

Cal. Penal Code § 13519.14(e) states, "Every law enforcement officer who is assigned field or investigative duties shall complete a minimum of two hours of training in a course or courses of instruction pertaining to the handling of human trafficking complaints as described in subdivision (a) by July 1, 2014, or within six months of being assigned to that position, whichever is later." Subdivision (a) provides, "The commission shall implement by January 1, 2007, a course or courses of instruction for the training of law enforcement officers in California in the handling of human trafficking complaints and also shall develop guidelines for law enforcement response to human trafficking. The course or courses of instruction and the guidelines shall stress the dynamics and manifestations of human trafficking, identifying and communicating with victims, providing documentation that satisfy the law enforcement agency Law Enforcement Agency (LEA) endorsement (LEA) required by federal law, collaboration with federal law enforcement officials, therapeutically appropriate investigative techniques, the availability of civil and immigration remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include human

trafficking experts with experience in the delivery of direct services to victims of human trafficking. Completion of the course may be satisfied by telecommunication, video training tape, or other instruction."

Florida

Fla. Stat. § 787.06(6) (Human Trafficking) requires "[e]ach state attorney to develop standards of instruction for prosecutors to receive training on the investigation and prosecution of human trafficking crimes and to provide for periodic and timely instruction." Also, "[a]fter 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." Fla. Stat. Ann. § 787.06(5).

Georgia

Ga. Code Ann. § 35-1-16(a) (Training law enforcement officers investigating crimes involving trafficking persons for labor or sexual servitude) mandates the Georgia police officer training council to establish procedures, training materials and information in "(1) Methods for identifying, combating, and reporting incidents where a person has been trafficked for labor or sexual servitude, as such terms are defined in Code Section 16-5-46 [Trafficking of persons for labor or sexual servitude]; (2) Methods for providing proper detention facilities or alternatives to detention facilities for persons who have been trafficked for labor or sexual servitude . . .

including providing information on therapeutic facilities for such persons; and (3) Methods for assisting persons who have been trafficked for labor or sexual servitude . . . including providing information on social service organizations available to assist such person.”

Indiana

Ind. Code Ann. § 5-2-1-9(a)(10) (Implementation of chapter – Town marshal basic training program – Police chief executive training) requires the Indiana Law Enforcement Training Board to provide “[m]inimum standards for a course of study on human and sexual trafficking that must be required for each person accepted for training at a law enforcement training school or academy and for inservice training programs for law enforcement officers. The course must cover the following topics: (A) Examination of the human and sexual trafficking laws (IC 35-42-3.5). (B) Identification of human and sexual trafficking. (C) Communicating with traumatized persons. (D) Therapeutically appropriate investigative techniques. (E) Collaboration with federal law enforcement officials. (F) Rights of and protections afforded to victims. (G) Providing documentation that satisfies the Declaration of Law Enforcement Officer for Victim of Trafficking in Persons (Form I-914, Supplement B) requirements established under federal law. (H) The availability of community resources to assist human and sexual trafficking victims.” Police reserve officers must also receive training on human trafficking. Ind. Code Ann. § 36-8-3-20(k) (Police reserve officers).

Louisiana

La. Rev. Stat. Ann. § 2405.7 (Human trafficking training) states that “A. The council shall provide training for law enforcement agencies in addressing human trafficking. B. Such training shall focus on all of the following: (1) Investigating human trafficking under R.S. 14:46.2. (2) Investigating trafficking of children for sexual purposes under R.S. 14:46.3 and the special needs of sexually exploited children. (3) Methods used in identifying United States citizens and foreign national victims of human trafficking, including preliminary interview techniques and appropriate questioning methods. (4) Methods of increasing effective collaboration with nongovernmental organizations and other relevant social service organizations in the course of investigating and prosecuting a human trafficking case. (5) Methods for protecting the rights of victims of human trafficking, taking into account the need to consider human rights and the special needs of female and child victims. (6) The necessity of treating victims of human trafficking as crime victim rather than criminals. (7) Methods for promoting the safety of victims of human trafficking. C. The council shall seek input and participation of appropriate nongovernmental organizations and other relevant organizations in the

preparation and presentation of training called for in this Section.”

Ohio

Pursuant to Ohio Rev. Code Ann. § 109.745(A) (Training for investigating and handling crime of trafficking in persons), “The attorney general shall provide training for peace officers in investigating and handling violations of section 2905.32 [Trafficking in persons] of the Revised Code. The training shall include all of the following: (1) Identifying violations of section 2905.32 [Trafficking in persons] of the Revised Code; (2) Methods used in identifying victims of violations of section 2905.32 of the Revised Code who are citizens of the United States or a foreign country, including preliminary interviewing techniques and appropriate questioning methods; (3) Methods for prosecuting persons who violate section 2905.32 [Trafficking in persons] of the Revised Code; (4) Methods of increasing effective collaboration with nongovernmental organizations and other social service organizations in the course of a criminal action regarding a violation of section 2905.32 of the Revised Code; (5) Methods for protecting the rights of victims of violations of section 2905.32 [Trafficking in persons] of the Revised Code, including the need to consider human rights and the specific needs of women and children who are victims of violations of that section and to treat victims as victims rather than as criminals; (6) Methods for promoting the safety of victims of violations of section 2905.32 [Trafficking in persons] of the Revised Code, including the training of peace officers to quickly recognize victims of a violation of any of those sections who are citizens of the United States or citizens of a foreign country.”

Oregon

Or. Rev. Stat. § 181A.480 (Training in human trafficking) states that “[t]he Board on Public Safety Standards and Training may require that all police officers and certified reserve officers are trained to recognize, investigate and report cases involving . . . sex trafficking of children and adults at any advanced training program operated or authorized by the Department of Public Safety Standards and Training.”

Texas

Tex. Occ. Code Ann. § 1701.258(a) (Education and training programs on trafficking of persons) requires law enforcement officers licensed on or after January 1, 2011 to “complete within a reasonable time after obtaining the license a one-time basic education and training program on the trafficking of persons.” The program must be at least four hours long and “include a review of the substance of Sections 20A.02 [Trafficking of persons] and 43.05 [Compelling prostitution].”

Tex. Occ. Code Ann. § 1701.258(a). Additionally, Tex. Occ. Code Ann. § 1701.258(b) states, “The [Commission on Law Enforcement Officer Standards and Education] shall make available to each officer a voluntary advanced education, instruction, and training program on the trafficking of persons and compelling prostitution prohibited under Sections 20A.02 and 43.05, Penal Code.” Tex. Occ. Code Ann. § 1701.402(a) (Proficiency certificates) authorizes the Commission on Law Enforcement Officer Standards and Education to issue proficiency certificates to law enforcement officers who meet training, education, and experience requirements. Tex. Occ. Code Ann. § 1701.402(j) states, “As a requirement for an intermediate or advanced proficiency certificate issued by the commission on or after January 1, 2011, an officer must complete the basic education and training program on the trafficking of persons described by Section 1701.258(a).” Tex. Hum. Res. Code § 242.009(b) requires juvenile correctional officers to receive training on human trafficking.