

State of Alaska Task Force on the Crimes of Human Trafficking,
Promoting Prostitution and Sex Trafficking

Draft Preliminary Research Summary

October 5, 2012

By Cori Badgley and Cathy Satterfield

This report represents the research that Cathy Satterfield and Cori Badgley have done in preparation of the first meeting of the task force. Cathy Satterfield focused on contacting law enforcement and Cori Badgley focused on contacting service organizations. Cori Badgley also did some background research on what is currently known about human trafficking, the needs of trafficking victims and the common identifiers of victims. This draft summary presents the information that was gathered by staff in advance of the task force's first meeting and does not represent any final recommendations of the task force.

I. Background

a. Federal and State Definitions of Human and Sex Trafficking

In 2000, Congress passed the Trafficking Victims Protection Act of 2000 (TVPA). States began to follow suit, enacting their own laws against human trafficking. Under the TVPA, trafficking in persons is defined as follows:

- a) Sex trafficking in which a commercial sex act is induced by force, fraud, 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.

(8 U.S.C. § 1101.)

Alaska criminal law uses different terminology than the TVPA, but achieves the same purpose.¹ Under current Alaska law², sex trafficking in the first degree involves one of the following actions:

(1) induces or causes a person to engage in prostitution through the use of force; (2) as other than a patron of a prostitute, induces or causes a person under 20 years of age to engage in prostitution; or (3) induces or causes a person in that person's legal custody to engage in prostitution.
(AS 11.66.110.)

Similar to the TVPA, Alaska law distinguishes between an adult and a minor. Alaska law sets the age limit at 20, whereas federal law uses 18. If the person engaging in prostitution is an "adult," then the prosecution must show that force was used, or under federal law, that fraud, force, or coercion occurred. However, the lesser degrees of sex trafficking in the Alaska statutes do not require this showing, even for adults.³

More broadly, Alaska criminal law defines human trafficking in the first degree as compelling a person "to engage in sexual conduct, adult entertainment, or labor in the state by force or threat of force against any person, or by deception."⁴ This is similar to the TVPA's requirement of "force, fraud or coercion" to show the trafficking of persons for purposes of labor.

Overall, the state and federal laws cover a similar range of activities in their definitions of human trafficking and sex trafficking. Alaska law provides a little more latitude for situations involving persons under the age of 20 as well as those prostituted by parents or legal guardians.

b. Types of Human Trafficking and Sex Trafficking

When you hear the phrase "human trafficking," an image of organized criminals forcing immigrants to perform difficult or dangerous work tasks or sex for little or no

¹ AS 11.66.110-11.66.135.

² The full text of the Alaska statutes on the crimes of human trafficking, promoting prostitution and sex trafficking can be found in Appendix 1.

³ AS 11.66.120-11.66.135.

⁴ AS 11.41.360.

compensation generally comes to mind. In reality, human trafficking and sex trafficking can take different forms, making it difficult to identify the crime. For purposes of this summary, there are two general categories: international trafficking and domestic trafficking. International trafficking involves the typical situation where a woman or man is coerced, forced, or deceived into forced labor or prostitution and brought from his or her home country to the United States. Domestic trafficking also involves force, fraud or coercion,⁵ but victims are trafficked within the United States, not over international borders.

The focus of the majority of studies on human trafficking has been on youth because it has generally been found that girls are first exploited between 12 to 14 years of age and boys between 11 and 13 years.⁶ Between 244,000 and 325,000 American youth are considered at risk for sexual exploitation, and there are no estimates for those at risk of forced labor.⁷ Although some studies have estimated the number of youth at risk of sexual exploitation, the number of youth that qualify as trafficking victims is still unknown.⁸ There is a similar lack of information regarding specific needs of labor trafficking victims, whereas the literature on the needs of sex trafficking victims is more developed.⁹

In a study in Minnesota on the prostitution and trafficking of Native women, the study found that the majority of women identified as victims exchanged sex for food, shelter or drugs at some point.¹⁰ This is commonly referred to as "survival sex." The majority of women interviewed also identified a pimp or "boyfriend" to whom they gave most of their money.¹¹

⁵ Under either a domestic or international human trafficking scenario, if the victim is under 18 (or in Alaska under age 20) and sex trafficking is involved, no force, fraud or coercion is necessary to show that sex trafficking has occurred.

⁶ *Human Trafficking Into and Within the United States: A Review of the Literature*, U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, pps. 8-9 (August 2009), <http://aspe.hhs.gov/hsp/07/HumanTrafficking/LitRev/index.shtml>, hereinafter referred to as "*A Review of the Literature*."

⁷ *Id.* at p. 4.

⁸ *Id.* at p. 5.

⁹ *Id.* at p. 2.

¹⁰ *Garden of Truth: The Prostitution and Trafficking of Native Women in Minnesota*, Melissa Farley, Nicole Matthews, Sarah Deer, Guadalupe Lopez, Christine Stark and Eileen Hudon, p. 25 (October 27, 2011), http://www.prostitutionresearch.com/pdfs/Garden_of_Truth_Final_Project_WEB.pdf, hereinafter referred to as "*Garden of Truth*."

¹¹ *Ibid.*

"Survival sex" presents a difficult issue because it does not fit into the traditional view of human trafficking. Although there may not be a specific facilitator involved, the use of "force or coercion" may still be used to induce the victims to prostitute themselves in exchange for shelter, food, drugs, etc. Also, as found in the Minnesota study, those persons that have engaged in survival sex may also be victims of more traditional sex trafficking.

c. Who is At Risk? - Common Identifiers of Trafficking Victims

Although there are differences between labor trafficking and sex trafficking victims, the literature shows that there are still commonalities among victims.¹² These commonalities include the following¹³:

- Poverty
- Young age
- Limited education
- Lack of work opportunities
- Homeless, orphan, run-away, thrown-away
- History of previous sexual abuse
- Health, emotional or mental health challenges^{14 15}
- Drug or alcohol addiction
- Post-traumatic stress disorder
- Multiple arrests
- Truancy or expelled from school
- Often mislabeled as rape, sexual assault or domestic violence victims

¹² *A Review of the Literature, supra*, at p. 7.

¹³ These factors were taken from the following studies: *A Review of Literature, supra*, at p. 7; *Garden of Truth, supra*, at pps. 40-42; *Shattered Hearts: The Commercial Sexual Exploitation of American Indian Women and Girls in Minnesota*, Minnesota Indian Women's Resource Center, pps. 53-82 (November 2009), <http://www.miwrc.org/about-us-section-shattered-hearts-report>, hereinafter referred to as "*Shattered Hearts*"; *National Report on Domestic Minor Sex Trafficking: America's Prostituted Children*, Shared Hope International, p. 49 (May 2009), <http://www.sharedhope.org/Resources/TheNationalReport.aspx>, hereinafter referred to as "*National Report on Domestic Minor Sex Trafficking*."

¹⁴ In the *Shattered Hearts* study in Minnesota, fetal alcohol spectrum disorder was found as a common medical condition among American Indian women who were victims of sexual exploitation. *Shattered Hearts, supra*, at p. 77.

¹⁵ Many of the studies identified that many female trafficking victims have Stockholm syndrome, which makes them uncooperative witnesses. Overall, the studies agreed that trafficking victims generally do not view themselves as victims.

- Presence of an older boyfriend
- Multiple sexually transmitted diseases

d. Primary Needs of Trafficking Victims

Studies have also identified the primary needs of trafficking victims, which consist of the following¹⁶:

- Safe and secure housing (emergency, transitional and long-term)¹⁷
- Food and clothing
- Individual counseling and peer support
- Substance abuse treatment
- Medical services
- Legal assistance
- Job training and placement
- Education

e. Examples of Programs Instituted in Other States/Countries

i. The Swedish Model: Decriminalize Prostitution/Prosecute Johns

In 1999, Sweden decriminalized selling sex, while increasing penalties on buyers and traffickers. The Swedish government has cited the law as drastically decreasing prostitution and human trafficking, while others claim it has made it more dangerous for prostitutes.¹⁸

ii. New York: Safe Harbor Act 2008

In 2008, New York enacted the Safe Harbor for Exploited Children Act. This Act requires certain services to be available to exploited children and provides an option for

¹⁶ See *A Review of Literature, supra*, at p. 12; *Garden of Truth, supra*, at p. 47.

¹⁷ Because most trafficking victims have been arrested for prostitution or other crimes, accessing shelter and other services can be very difficult. *Garden of Truth, supra*, at p. 45.

¹⁸ See "Sweden prostitution law attracts world interest," USA Today (March 16, 2008), http://www.usatoday.com/news/world/2008-03-16-sweden-prostitution_N.htm; "Prostitution ban huge success in Sweden," humantrafficking.org (January 30, 2008), <http://www.humantrafficking.org/updates/838>.

police to bring the victim directly to a safe shelter geared towards minor sex trafficking victims, instead of to jail. A court is required to adjudicate the victim as a Person In Need of Supervision rather than as a juvenile delinquent.¹⁹

iii. Dallas, Texas: Assigned Detective

One of the issues identified in the *National Report on Domestic Minor Sex Trafficking* is a lack of accountability and responsibility by state agencies for victims of trafficking. According to the assessments completed for the report, law enforcement often point fingers at child protective services and child protective services point fingers at law enforcement. This leads to no one keeping track of, or watching out for, the child victims. To combat this lack of responsibility, the Dallas Police Department's Child Exploitation/High Risk Victims/Human Trafficking Unit began assigning a highly trained detective to a potential case of domestic minor sex trafficking. According to the national report,

That detective is then assigned to that child every time the child comes into contact with the Dallas Police Department. This protocol works to create a bond between the victim and detective and facilitates disclosure. Furthermore, the assigned detective is responsible for contacting child protective services and other needed entities – thus, creating a 'paper trail' that can be used to hold groups accountable. (*National Report on Domestic Minor Sex Trafficking, supra*, at p. 66.)

iv. John's School

Many cities across the United States have instituted John's Schools as alternatives to or in addition to traditional sentencing. The example most often cited is the John's School in San Francisco, although there are now several others in existence. A John's School is an intense educational program for first-offender johns. In San Francisco, the john can choose either to go to jail or to go to the John's School. All fines paid by johns go toward running the John's School. San Francisco's program involves an 8-hour session that covers the general topic of sex trafficking, testimony from survivors of sex

¹⁹ New York Social Services Code § 447-a et seq.; *National Report on Domestic Minor Sex Trafficking, supra*, at p. 60.

trafficking, a graphic discussion of STDs, and a discussion of the consequences of a second offense. The purpose of the John's School is to work on the demand-side of sex trafficking and prevent johns from re-offending or offending in the first instance. There is evidence that it has made a difference in San Francisco.²⁰

II. Information Gathered from Agencies or Organizations that May Provide Services to Victims of Trafficking

In order to establish a baseline for what services are currently available for victims of human trafficking and sex trafficking²¹ as well as existing gaps in services, staff for the task force contacted state and federal agencies and non-governmental organizations (NGOs) around the state between August 6, 2012 and August 27, 2012 that had the potential to provide services to victims. Staff attempted to cover a broad range of NGOs, but this list does not represent all NGOs within the state that may service victims. There were also a small portion of NGOs with which staff was unable to connect within the timeframe.

The following non-governmental organizations responded to staff's request for information:

- Abused Women's Aid in Crisis (Anchorage)
- Alaska CARES (Providence Hospital, Anchorage)
- Alaska Network on Domestic Violence and Sexual Assault (state-wide)
- Arctic Women in Crisis (Barrow)
- Aiding Women in Abuse and Rape Emergencies (Juneau)
- Covenant House (Anchorage)
- Fairbanks Youth Advocates (Fairbanks)
- Immigration Justice Project (Anchorage and state-wide)
- Interior Alaska Center for Non-Violent Living (Fairbanks)
- Kodiak Women's Resource & Crisis Center (Kodiak)
- The Leeshore Center (Kenai)

²⁰ *A National Overview of Prostitution and Sex Trafficking Demand Reduction Efforts*, Abt Associates Inc. and the U.S. Department of Justice, p. vi (April 30, 2012), <https://www.ncjrs.gov/pdffiles1/nij/grants/238796.pdf>.

²¹ When the term "victim" is used in this report, it is referring to victims of human trafficking and sex trafficking, unless otherwise indicated.

- Maniiliq Family Crisis Center (Kotzebue)
- Safe and Fear Free Environment (Bristol Bay)
- Salvation Army (Anchorage and state-wide)
- Sitkans Against Family Violence (Sitka)
- Standing Together Against Rape (Anchorage)
- Unalaskans Against Sexual Assault and Family Violence (Unalaska)

Staff for the task force also gathered information from the following state and federal agencies: Alaska Violent Crimes Compensation Board, Alaska Department of Health and Social Services, and U.S. Department of Health and Human Services. Although the Alaska Violent Crimes Compensation Board has knowingly provided assistance to eleven victims of trafficking, none of the other employees within the state agencies had information specifically relating to trafficking victims (outside of the law enforcement context). The substance abuse, mental health, domestic violence and sexual assault programs that the state either funds or provides would all be open to victims of trafficking. Therefore, aside from a brief discussion of the U.S. Department of Health and Human Services, the remainder of this section focuses on the services provided by NGOs.

a. Services Offered by the U.S. Department of Health and Human Services (USDHHS)

The Administration for Children and Families within the USDHHS administers the Campaign to Rescue and Restore Victims of Human Trafficking. The administration directly services foreign victims of human trafficking by assisting them with obtaining a certification that he or she is a victim of human trafficking and walking the victim through the visa process. The other services offered by the administration involve creating an awareness campaign and forming local and regional coalitions to fight human trafficking. For these purposes, the administration distributes materials that can be used in any local or state campaign by both state agencies as well as NGOs.²²

²² See http://www.acf.hhs.gov/trafficking/rescue_restore/index.html.

b. Services Offered by Non-Governmental Organizations

The primary mission of the majority of the NGOs interviewed is to assist female victims of domestic violence and sexual assault, although many organizations stated they also assist men with non-shelter needs. Three of the NGOs only address the needs of minors, and the majority of the shelters could only take in unaccompanied minors if they received the permission of the parent or guardian. If the NGO did not provide a specific service, the NGO had referral organizations that it works with on a regular basis.²³

The following table represents the main services provided by the NGOs interviewed.

| Service Offered | No. of NGOs Offering Service | Any Descriptors |
|-----------------------------|-------------------------------------|---|
| Medical | 4 | Advanced nurse practitioner (1); twice a month public health comes in (1); one-stop shop of medical services (1); conduct sexual assault response team (SART) exams (1) |
| Counseling | 14 | Available at facility or shelter (3); pro bono referral service (2); support groups and education groups |
| Emergency/Temporary Housing | 11 | Generally 30 days or less time limit; one or two allowed longer in certain circumstances; children engaged in sex trafficking usually in and out multiple times |
| Longer-Term Housing | 2 | Up to 2 years for transitional housing |
| Translation/Interpreter | 5 | Through telephone, volunteers or use of Immigration Justice Project |
| Immigration Services | 2 | |
| Legal Services (Attys) | 3 | Divorce, child custody, and protective orders |
| Legal Advocate (Non-Attys) | 8 | Divorce, child custody, protective orders, and immigration |
| Other: Food | 3 | |
| Other: Clothing | 1 | |
| Other: Job | 2 | Provide help finding employment |
| Other: Permanent Housing | 4 | Provide help finding permanent housing |
| Other: Financial | 3 | E.g., help with rent or other payments |
| Other: Outreach | 4 | Team on the streets or in schools providing info; raising awareness in the community |

²³ If the referrals were only done on an individual basis and a specific relationship with another organization was not formally established, these were not included as services offered by the NGO in the table.

c. Organizations That Have Knowingly Assisted Victims of Trafficking

Out of the 17 NGOs interviewed, 11 stated that they knew the organization had assisted at least one victim of sex trafficking or human trafficking. In all of these cases, the NGOs identified the act as sex trafficking and not forced labor. Only a few of the 11 organizations had any estimate on the number of victims that they have assisted per year. The few that did have an estimate, the estimates were generally in the range of one or two per year. Most of the victims were from Alaska, although a few immigrant victims were identified, mainly from Russia and the Philippines. The majority of organizations did not have any protocol for identifying victims of trafficking nor did they keep track of victims of these types. At least two of the organizations stated that the only known trafficking victims they had assisted had been referred by law enforcement, which is why they knew their status as trafficking victims. One of the organizations based in Anchorage noted that it had seen an increase in homeless Alaskan Native youth in the last year. It should also be noted that throughout the interviews, survivor sex came up as something that the urban organizations saw and heard about frequently, but these types of actions were not classified by the organizations as sex trafficking or prostitution in most circumstances.

d. Anecdotal Information from Organizations

Due to a lack of any formal intake procedures, the majority of the information on sex trafficking received from the NGOs was anecdotal. Although not definitive, this information shows that sex trafficking is occurring on some level within the state. However, it is impossible to know to what extent and whether there is any form of organized crime surrounding the trafficking. The following provides some examples of the anecdotal information obtained during the interviews:

- Most trafficking victims do not recognize it as trafficking and do not view themselves as victims.
- Most trafficking victims are distrustful of others and law enforcement especially, which makes them unlikely to report. Additionally, their "boyfriends" have often threatened them if they tell anyone.

- Trafficking victims are likely to be homeless and have a history of child or sexual abuse prior to becoming trafficked.
- All of the organizations reported that if they knew of victims, they were female. However, some of the organizations also stated that it was happening with males, but males are less likely to disclose than females.
- Most trafficking victims start as children, according to many of the organizations that had knowingly interacted with victims.
- The majority of solicitation now occurs on the internet. Some of the rural organizations fear that before youth go to Anchorage, they are solicited and appointments are set up in advance. There is no direct evidence that this is happening.
- Some of the organizations noted that both survivor sex and more organized sex trafficking are often linked to substance abuse problems.
- A few of the rural organizations noted assisting mail-order brides who had been physically or sexually abused by their "husbands." This did not occur frequently in recent years, but was more prevalent in the '80's and '90's.
- One of the NGOs located in a coastal area mentioned women arriving in the area on false promises by men, who then put them in a position of virtual slavery. The women cannot afford to fly back home and feel trapped under the man's control.
- The majority of NGOs in bush Alaska had not knowingly assisted victims of sex trafficking or human trafficking.
- One organization in rural Alaska was notified of a man who was soliciting young women to come to Anchorage for modeling contracts. The hotel where he was staying was informed and kicked him out. This occurred last summer.

- One organization based in an urban area has heard of young people being forced to do chores, housecleaning, providing drugs and alcohol or sex in exchange for shelter or housing. Couch surfing was also mentioned by a few organizations, and the teenagers would trade sex for a place to sleep.
- Many of the urban and coastal NGOs that stated they had not knowingly assisted victims also stated that they were concerned it was occurring in their community.

e. Needs Identified by Organizations

During the interviews, staff asked the organizations what they viewed as the most important needs for victims that were not being currently addressed. The following list represents the needs most often identified:

- Training on identifying and interviewing victims (only two organizations mentioned receiving or planning on attending any training specific to trafficking, but all expressed an interest)
- Longer-term secure housing
- Secure housing and services for minors without parents or guardians (which may require a statute or policy change)
- Peer-counseling with survivors of trafficking
- Awareness and education for the community – how and where to report information
- Implementation of a "John's School" to deter those that purchase sex, along with increased prosecution of the johns instead of the prostitutes

f. Conclusions

Aside from the Alaska Immigration Justice Project, which directly assists immigrant victims through the legal process, there do not appear to be services specifically targeting trafficking victims. All of the organizations that have assisted victims believe that trafficking victims tend to need more intense and complex help because of the severe sexual and emotional abuse they have sustained. It was also noted by most of the organizations that these victims have longer-term needs that must

be addressed in order to get them out of their situation – long-term housing, counseling, and substance abuse treatment.

It was also clear from the interviews that most NGOs lack any training in this area, and the majority mentioned a desire to have more training. Specifically, many of the NGOs expressed an interest in learning interviewing techniques that may work with these victims.

Due to the lack of training and the general unwillingness of the victims to disclose their background, there is a lack of information on how prevalent trafficking is in Alaska and what is most needed to address the problem. However, although it is hard to discern how extensive the problem is, it is apparent that survival sex and sex trafficking occur within Alaska, and that these victims present some of the most complex cases in terms of security, emotional and physical well-being.

III. Information Gathered from Law Enforcement

The preliminary review of state and local law enforcement's assessment of the existence of human and sex trafficking within the state involved first, a review of the number of cases prosecuted under Alaska law on human trafficking and promoting prostitution since 2007, and second, telephone interviews with federal, state, and local law enforcement agencies across Alaska. The telephone interviews were conducted during the period of August 6, 2012 through August 22, 2012, with 13 police departments and 6 state trooper detachment headquarters across Alaska. The police chiefs and detachment commanders within the law enforcement agencies, or their designee were interviewed. To supplement the findings, interviews were also conducted with federal, state, and local prosecutors. The primary objective of the interview was to obtain information about the number of sex trafficking or human trafficking cases reported to state and local law enforcement agencies in the state since 2007, and the number of cases state and local law enforcement agencies have investigated in cooperation with federal law enforcement agencies.

a. Cases Prosecuted under Alaska Law

The number of cases prosecuted statewide under Alaska law on human trafficking (AS 11.41.360- 365) and promoting prostitution (AS.66.100 – 130) for the period of January 1, 2007 through June 30 2012:²⁴

| | | |
|--------------------------|-------------------------------|----------------------------------|
| AS 11.41.360 | AS 11.66.110 – 135 | AS 11.66.100 |
| Human Trafficking | Promoting Prostitution | Prostitution²⁵ |
| Referred: 0 | Referred: 32 | Referred: 89 |
| Charged: 0 | Charged: 27 | Charged: 86 |
| Convicted: 0 | Convicted: 19 | Convicted: 34 |

The number of dispositions in the Municipality of Anchorage under the city ordinances on sex trafficking and prostitution for the period of January 1, 2007 through June 30, 2012:²⁶

| | |
|----------------------------------|--|
| Anchorage Municipal Code | Anchorage Municipal Code |
| 08.65.20, 08.65.110 | 08.65.030 - 100 |
| Prostitution²⁷ | Promoting Prostitution²⁸ |
| Dispositions: 745 | Dispositions: 167 |

²⁴ These numbers come from the Department of Law's code management system which presently has limited report writing capabilities. Hence, the report can only identify cases referred, accepted for prosecution and whether an offender was convicted of the offence accepted for prosecution. Therefore, an offender charged with kidnapping (an unclassified felony) and sex trafficking in the fourth degree (a class A misdemeanor), who entered into a plea agreement to plead guilty to the kidnapping in exchange for a dismissal of the misdemeanor sex trafficking offence, would not be included in the "convicted" category in this table. Also, this table does not include municipal prosecutions (see following table). Appendix 1 includes the text of the statutes cited.

²⁵ The category of "Prostitution" includes individuals engaging in prostitution as well as patrons of prostitutes.

²⁶ The municipality's case management system outlines all dispositions, which includes those that were declined or dismissed. The city is working on providing the task force with more specific numbers on charges and convictions. Appendix 2 includes the text of the city ordinances cited.

²⁷ The category of "Prostitution" includes individuals engaging in prostitution as well as patrons of prostitutes. It also includes those charged with loitering for purposes of soliciting prostitution.

²⁸ The category of "Promoting Prostitution" includes the offences of solicitation; offering to secure another for prostitution; transporting a person for purposes of prostitution; maintaining, owning or leasing a place where prostitution occurs; and coercing another to engage in prostitution.

b. Cases Reported to State and Local Law Enforcement

The number of cases reported to state and local law enforcement agencies in the state for the period of January 1, 2007 through August 22, 2012:

| Police Departments | Alaska State Troopers |
|---------------------------|------------------------------|
| Labor Trafficking: 0 | Labor Trafficking: 0 |
| Sex Trafficking: 0 | Sex Trafficking: 0 |

The number of cases state and local law enforcement agencies have investigated in cooperation with federal law enforcement agencies for the period of January 1, 2007 through August 22, 2012:

| Police Departments | Alaska State Troopers |
|---------------------------|------------------------------|
| Labor Trafficking: 0 | Labor Trafficking: 0 |
| Sex Trafficking: 2 | Sex Trafficking: 0 |

FBI Anchorage reports that they have had approximately 10 human trafficking cases total – seven sex trafficking and three labor trafficking. Two of the sex trafficking cases have been prosecuted to date, and both were joint cases with the Anchorage Police Department Vice Unit. Other state and local police law enforcement have assisted the FBI with locating victims on these cases, although they may not have known it was for trafficking. Law enforcement agencies are also currently assisting the FBI with the three labor trafficking cases by providing them with information and victim location information but are not actively part of the investigation. Two of the labor trafficking cases are in Anchorage and one is in rural Alaska.

c. Federal Case Summaries

i. *Case 1 – Don Arthur Webster Jr.*

Don Arthur Webster Jr., also known as "Jerry Starr," was convicted by a federal jury on February 5, 2008, in the first sex trafficking trial in the District of Alaska. After 11 days of testimony, the jury found Webster guilty on two counts of sex trafficking of a minor; nine counts of sex trafficking of adults by force, fraud, or coercion; two counts of

distributing crack cocaine to a pregnant woman; four counts of distributing crack cocaine to individuals under the age of 21; and eight counts of distributing crack cocaine. Webster was also convicted of one count of maintaining premises for the purpose of manufacturing and distributing crack cocaine, and one count of manufacturing crack cocaine.

Outcome of the Case: Webster was sentenced to 360 months in prison for sex trafficking of minors and adults, as well as drug trafficking offenses, placed on lifetime supervised release following his prison term, and ordered to pay \$3.6 million restitution payable to the 11 victims who were underage or forced and/or coerced by Webster into commercial sex transactions.

Assistant U.S. Attorney's Office and Department of Justice worked the case along with special agents from the FBI and the Vice Unit of the Anchorage Police Department, as part of the Alaska Human Trafficking Task Force.

ii. Case 2 – Sabil Mumin Mujahid, Sidney Greene, Rand Hooks, Keyana Marshall

In December 2009, Sabil Mumin Mujahid, Sidney Greene, Rand Hooks, and Keyana Marshall, were indicted in federal court for running a prostitution ring with 17 women and three girls. Prosecutors accused Mujahid and Greene of being the ringleaders. Hooks allegedly owned the Anchorage building where the trafficking took place and Marshall was accused of helping to post photos of the victims on Craigslist.

Outcome of the Case: Majuahid was convicted of being a felon in possession of firearm following his indictment for running a prostitution ring and sentenced to 10 years in prison. While incarcerated for being a felon in possession of a firearm at the Anchorage Correctional Center, Mujahid raped, sodomized and sexually abused four men and tried to sexually assault two others between May 3, 2009 and May 26, 2010. He received a 40 -year sentence. The U.S. Attorney's Office dropped the federal charges of running a prostitution ring, stating the defendant was 50 years of age and is already serving a lengthy sentence for the other crimes. He was also representing himself and the decision to drop the federal sex trafficking charge prevented the defendant from being able to interview victims. The other three defendants were convicted. Rand Hook,

the landlord, was sentenced to supervised probation; Keyana Marshall was sentenced to four years and supervised probation; and Sidney Green is taking a plea for a 12-year sentence.

The Anchorage Police Department Vice Unit, the Federal Bureau of Investigation, and the Internal Revenue Service–Criminal Investigation conducted the investigation leading to the indictment in this case. They were assisted by agents and detectives from the Innocence Lost Task Force and the Alaska Internet Crimes Against Children Task Force. The case was prosecuted by the U.S. Attorney's Office with assistance from the Child Exploitation and Obscenity Section of the Justice Department's Criminal Division and the Criminal Section of the Justice Department's Civil Rights Division.

d. State and Local Law Enforcement Telephone Interviews

The telephone interviews provide an important opportunity to understand how state and local law enforcement agencies perceive the problem of human trafficking in their communities, and what may be needed to identify and investigate human trafficking cases. Information was gathered on (1) their perception of human trafficking; (2) ways human trafficking might come to their attention; (3) the challenges they face in identifying human trafficking; and (4) the most effective methods and resources for training to identify and investigate human trafficking.

i. *State and local law enforcement perception of human trafficking problems in their local community*

Over 70 percent of local and state law enforcement agencies interviewed perceive human trafficking as not likely occurring in their local communities. There is little difference in their perceptions of sex trafficking versus labor trafficking - both types are perceived as rare or non-existent. State and local law enforcement serving larger communities (Anchorage and Fairbanks) perceive human trafficking, particularly sex trafficking as somewhat more pervasive, especially in Anchorage where local law enforcement have investigated sex trafficking cases. However, due to the underground nature of human trafficking, it can be happening anywhere. Traffickers may seek the seclusion of rural and remote areas to operate.

Audrey Renschen, with U.S. Attorney's Office, thinks one of the best things we can do for our state is outreach. She explained, "It will help us identify victims, and prosecute the perpetrators. The dynamics of human trafficking resemble other interpersonal violent crimes, but there are additional dimensions unique to the crimes, that really require explanation, and that are not immediately intuitive."

ii. Ways human trafficking first comes to the attention of state and local law Enforcement

Ninety-five percent of state and local law enforcement interviewed believe there is a connection between human trafficking and criminal activities such as prostitution, drug offenses, and calls for domestic violence. Fifty-five percent believe missing person reports should be carefully looked at as possible human trafficking cases. Tips from members of the community may be another source to identify trafficking cases. Over seventy percent stated they have not received training focusing on the issues of sex trafficking in cases of prostitution of women and children or production of pornography. Nearly ninety-five percent say they have not had any training on forced labor issues. Local and state law enforcement reported that in and around the coastal communities the canneries and fish processing plants at times have raised some concerns when they noticed large groups of workers sharing a small dwelling, with very few possessions. In western Alaska communities, Koreans own and operate most of the restaurants and taxi services. There has been speculation that it is a circuit where the workers travel from one community to another. However, those interviewed stated that there have not been any complaints or reports brought to their attention regarding either the fish processing operations or restaurant/taxi services. Without specific training on the indicators of human trafficking, some say they may be coming across victims of trafficking without even knowing it.

iii. Challenges that state and local law enforcement face in identifying human trafficking cases

Seventy-two percent of those interviewed acknowledged that there is a lack of awareness and understanding among state and local law enforcement to identify the existence of human trafficking. Another challenge to overcome is the lack of resources within their agencies. Eighty-two percent do not believe they have the resources to

identify and investigate trafficking cases when there are higher priority cases such as sexual assault and domestic violence. Another challenge for them is the lack of awareness or concern about human trafficking within their communities. The reality remains that many people do not know or understand very much about human trafficking as it occurs in Alaska.

iv. The most effective methods and resources for training to identify and investigate human trafficking

As with any new crime type, officers need training and guidance to help them understand if they have come across a case of human trafficking and know how to respond to the situation. Eighty-nine percent of those interviewed identified in-service as the most effective method of training. Although many commented that it can take several weeks to cover everyone because of the work schedules. New recruit training and off-site professional training is equally identified as the next effective methods with roll call briefing and online / webinar based training close behind. The least effective methods identified are publications and regional/national conferences.

e. Conclusions

The results of the telephone interviews indicate the need for increased awareness of human trafficking. Training for local and state law enforcement statewide appears to be needed to identify the signs of human and sex trafficking, the methods to respond to it, and the importance of raising public awareness of what human trafficking is and how to report it.

Appendix 1:

Alaska Statutes on the Crimes of Human Trafficking, Promoting Prostitution and Sex Trafficking

(copied from the Alaska legislature's website: www.legis.state.ak.us/basis/statutes.asp)

Sec. 11.41.360. Human trafficking in the first degree.

(a) A person commits the crime of human trafficking in the first degree if the person compels or induces another person to come to this state to engage in sexual conduct, adult entertainment, or labor in the state by force or threat of force against any person, or by deception.

(b) In this section,

(1) "adult entertainment" means the conduct described in AS 23.10.350(f)(1) - (3);

(2) "deception" has the meaning given in AS 11.46.180;

(3) "sexual conduct" has the meaning given in AS 11.66.150.

(c) Human trafficking in the first degree is a class A felony.

Sec. 11.41.365. Human trafficking in the second degree.

(a) A person commits the crime of human trafficking in the second degree if the person obtains a benefit from the commission of human trafficking under AS 11.41.360, with reckless disregard that the benefit is a result of the trafficking.

(b) Human trafficking in the second degree is a class B felony.

Sec. 11.66.100. Prostitution.

(a) A person commits the crime of prostitution if the person

(1) engages in or agrees or offers to engage in sexual conduct in return for a fee; or

(2) offers a fee in return for sexual conduct.

(b) Prostitution is a class B misdemeanor.

Sec. 11.66.110. Promoting prostitution in the first degree.

(a) A person commits the crime of promoting prostitution in the first degree if the person

(1) induces or causes a person to engage in prostitution through the use of force;

(2) as other than a patron of a prostitute, induces or causes a person under 18 years of age to engage in prostitution; or

(3) induces or causes a person in that person's legal custody to engage in prostitution.

(b) In a prosecution under (a)(2) of this section, it is not a defense that the defendant reasonably believed that the person induced or caused to engage in prostitution was 18 years of age or older.

(c) Except as provided in (d) of this section, promoting prostitution in the first degree is a class A felony.

(d) A person convicted under (a)(2) of this section is guilty of an unclassified felony.

Sec. 11.66.120. Promoting prostitution in the second degree.

(a) A person commits the crime of promoting prostitution in the second degree if the person

(1) manages, supervises, controls, or owns, either alone or in association with others, a prostitution enterprise other than a place of prostitution;

(2) procures or solicits a patron for a prostitute; or

(3) offers, sells, advertises, promotes, or facilitates travel that includes commercial sexual conduct as enticement for the travel; in this paragraph, "commercial sexual conduct" means sexual conduct for which anything of value is given or received by any person.

(b) Promoting prostitution in the second degree is a class B felony.

Sec. 11.66.130. Promoting prostitution in the third degree.

(a) A person commits the crime of promoting prostitution in the third degree if, with intent to promote prostitution, the person

(1) manages, supervises, controls, or owns, either alone or in association with others, a place of prostitution;

(2) as other than a patron of a prostitute, induces or causes a person 18 years of age or older to engage in prostitution;

(3) as other than a prostitute receiving compensation for personally rendered prostitution services, receives or agrees to receive money or other property pursuant to an agreement or understanding that the money or other property is derived from prostitution; or

(4) engages in conduct that institutes, aids, or facilitates a prostitution enterprise.

(b) Promoting prostitution in the third degree is a class C felony.

Sec. 11.66.135. Promoting prostitution in the fourth degree.

(a) A person commits the crime of promoting prostitution in the fourth degree if the person engages in conduct that institutes, aids, or facilitates prostitution under circumstances not proscribed under AS 11.66.130(a)(4).

(b) Promoting prostitution in the fourth degree is a class A misdemeanor.

Appendix 2:
City of Anchorage Ordinances on the Crimes of
Promoting Prostitution and Sex Trafficking
(copied from the City of Anchorage's website: library.municode.com)

8.65.010 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Assignment means the making of an appointment or engagement for prostitution or an act in furtherance of such appointment or engagement.

Prostitution means the giving or receiving of the body for sexual conduct for hire.

Sexual conduct means sexual intercourse, anal intercourse, masturbation or oral-genital contact.

(CAC 8.14.010; AO No. 98-59(S), § 1, 5-19-98)

Cross reference— Definitions and rules of construction generally, § 1.05.020.

8.65.020 - Practicing.

- A. It is unlawful for any person to knowingly engage in prostitution or assignment.
- B. It is unlawful for any person to perform or request another person to perform a sexual act, including genital exhibition, exhibition of the female breasts, the touching of another of the male or female genitalia or anus, or the touching by another of the female breast in order to demonstrate a person is not a law enforcement officer.
- C. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.020; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03; AO No. 2009-61, § 1, 7-7-09)

8.65.030 - Soliciting.

- A. It is unlawful for any person to knowingly solicit, induce, entice, invite, or procure another for the purpose of prostitution or assignment.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.
- C. A motor vehicle that is operated, driven or in the actual physical control of an individual during the commission of an alleged violation of this section is declared a public nuisance and may be impounded and may be forfeited to the municipality in accordance with Section 9.28.026.

(CAC 8.14.303; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03; AO No. 2003-155, § 1, 6-1-04; AO No. 2004-61, § 1, 3-2-04)

8.65.040 - Offering to secure another.

- A. It is unlawful for any person to knowingly offer, or offer to secure, another for the purpose of prostitution.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.040; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.050 - Transporting for unlawful purposes.

- A. It is unlawful for any person to direct, take or transport, offer or agree to take or transport, or assist in transporting another to a house, place, building, other structure, vehicle or mobile home, or to another person, with knowledge that the purpose of such directing, taking or transporting is prostitution or assignment.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.050; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.060 - Maintaining place of prostitution.

- A. It is unlawful for any person to knowingly maintain or operate a place, building, structure or part thereof, vehicle, mobile home, or other conveyance for the purpose of prostitution or assignment.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.060; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.070 - Owning or leasing place for purpose of prostitution.

- A. It is unlawful for any person to knowingly allow or permit a place, building, structure or part thereof, vehicle, mobile home, or other conveyance owned by him to be used for the purpose of prostitution or assignment, or to let, lease, rent or contract to let, lease or rent such property to another with knowledge that the lessee or tenant is to use such property for the purpose of prostitution or assignment.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.070; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.080 - Accepting money from prostitute.

- A. It is unlawful for any person to knowingly accept, receive, levy or appropriate money or other thing of value without consideration from the proceeds or earnings of a person engaged in prostitution.

- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.080; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.090 - Remaining in place of prostitution.

- A. It is unlawful for any person to enter, attend, remain in or reside in a place, building, structure, vehicle, or mobile home with the intent, aim or purpose of engaging in, promoting, facilitating, or encouraging the practice of prostitution or assignation and with knowledge that such place, building, structure, vehicle, or mobile home is being used for the purpose of prostitution or assignation.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$2,000.00 or imprisonment for not more than six months, or both such fine and imprisonment.

(AO No. 77-353; AO No. 89-52; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.100 - Coercing another to become a prostitute.

- A. It is unlawful for any person to knowingly induce, persuade or encourage by promise, threat, violence, or scheme or device another person to become or remain a prostitute or an inmate of a place maintained or operated for the purpose of prostitution.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$10,000.00 or imprisonment for not more than one year, or both such fine and imprisonment.

(CAC 8.14.100; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)

8.65.110 - Loitering for purpose of soliciting for prostitution.

- A. It is unlawful for any person to knowingly remain in a public place and repeatedly beckon to passersby, or repeatedly stop or repeatedly attempt to stop passersby, or repeatedly attempt to engage passersby in conversation, or repeatedly stop or attempt to stop motor vehicles, or repeatedly interfere with the free passage of other persons, for the purpose of soliciting for prostitution or for assignation.
- B. Violation of this section shall, upon conviction, be punished by a fine of not more than \$2,000.00 or imprisonment for not more than six months, or both such fine and imprisonment.

(CAC 8.14.110; AO No. 78-247; AO No. 98-59(S), § 1, 5-19-98; AO No. 2003-73, § 3, 4-22-03)