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Using U.S. Law-Enforcement Data: Promise and Limits in Measuring Human Trafficking

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ABSTRACT



Over the past decade, federal, state, and local law enforcement have increasingly been called upon to identify and investigate human-trafficking offenses. Numerous efforts have been put in place to track incidents, arrests, and criminal offenses related to human trafficking. In response to directives from the William Wilberforce Trafficking Victims Protection Reauthorization Act (2008), the FBI added two new crime categories to the Uniform Crime Reporting Program (UCR) to capture commercial-sex acts and involuntary servitude. Additionally, in an effort to improve our understanding of the prevalence of human trafficking in the United States, state legislatures have begun to require the collection of data on human-trafficking offenses identified by criminal-justice officials. However, despite the promises of standardized data from law enforcement about human trafficking, the numbers of reported human-trafficking offenses and arrests have been low. In this article, we examine official counts of human trafficking collected by criminal-justice-system data programs. We draw on data from a survey of state crime-reporting agencies and case studies of human-trafficking crime reporting conducted in two U.S. states to explore the challenges that local police agencies face reporting human trafficking. Finally, we offer suggestions for improving officially reported data.

KEYWORDS

Crime reporting; human trafficking; police

Introduction

Despite dramatic increases in public attention and improved responses from governmental and nongovernmental organizations, it has proven difficult to reliably measure the magnitude of human trafficking. Local, national, and global estimates have commonly utilized incomplete and nonsystematic data and have suffered from numerous operational, definitional, and methodological limitations (Clawson, Layne, & Small, 2006; Goodey, 2008; Weitzer, 2011). In 2012, the International Labor Organization (ILO) estimated that 20.9 million people were victims of forced labor and human trafficking worldwide. Although the ILO estimate is potentially the most reliable statistic on human-trafficking prevalence to date and certainly one of the most commonly cited, it is contrasted against the U.S. State Department's annual Trafficking in Persons Report data, which indicated only 44,462 victims of human trafficking had been identified by law enforcement worldwide in 2014 and 10,051 cases of human trafficking were prosecuted (U.S. Department of State, 2016). Although there are several explanations for the gulf between estimated and identified human-

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trafficking victims, including the use of different definitions of human-trafficking victimization, underreporting, misclassification of human-trafficking situations, and faulty estimation techniques, some journalists (Kessler, 2015; Markon, 2007) and scholars (Weitzer, 2014) have suggested that large human-trafficking estimates are inaccurate.

Current estimates of human-trafficking prevalence depend on accessing reliable statistical data about victims of human trafficking from two main sources: (a) victims who are identified by governmental and nongovernmental bodies and captured in official records and (b) victims who are identified through surveys of populations of people at risk for human-trafficking victimization who may or may not be identified in any official records. Although there is great promise in community survey approaches—in this special issue Fedina and DeForge speak to the promise and challenges of capturing information about victims through population survey data—here, we address data available through one type of official records—crime statistics—and suggest mechanisms to improve this measure. Given the limitations of prevalence research with hidden populations, data from systematic and routinized crime-reporting programs can provide a critical source of information; however, these data have unique problems and issues that require both time and effort to make necessary improvements. Recognizing that a significant percentage of human-trafficking crimes may be hidden, statistics from official records can provide critical information about the human trafficking that *is* visible.

To be an effective source of information, crime-reporting systems must first capture information on human-trafficking victimization. In the introduction to this special issue, Raphael discusses how law-enforcement data are necessary but are limited in that it only speaks to cases coming to the attention of law enforcement. Until recently, police in the United States lacked a uniform method for capturing information about criminal offenses involving human trafficking. Human trafficking was defined as a federal crime in 2000 (TVPA, 2000) and has been subsequently criminalized in all 50 states. In 2008, the William Wilberforce Trafficking Victims Protection Reauthorization Act mandated the Federal Bureau of Investigation (FBI) to begin collecting offense and arrest data about human trafficking as part of the FBI's Uniform Crime Reporting (UCR), the primary mechanism for measuring crime in the United States. The FBI added human-trafficking offenses for involuntary servitude and commercial-sex acts to the UCR, and law-enforcement agencies were instructed to begin reporting offenses and arrests beginning January 1, 2013.

Although the addition of human trafficking in the UCR is a significant step, there are many reasons to be concerned that offenses known to the police and reported through the UCR greatly underreport the extent of human trafficking occurring within local communities. Research on police identification of human trafficking has focused primarily on the problem of false negatives—human-trafficking offenses or victims that are not recognized or are misclassified in official data. There are also problems of false positives, where offenses reported as human trafficking turn out not to meet the legal definition, and double counting, where the same human-trafficking offenses are reported in multiple law-enforcement record systems.

Below, we examine official reports of human-trafficking offenses collected by criminal-justice-system data programs, including the most recent human-trafficking data collected through the UCR. Utilizing a case-study approach, we explore the challenges that law-enforcement agencies face reporting human-trafficking data in two states and offer suggestions for improving human-trafficking data collected by the criminal-justice system.

Despite limitations, the UCR program holds great promise of providing us with data about actual cases that can help answer the question about prevalence of trafficking for sexual exploitation in the United States. Human trafficking is not a crime in which victims self-report and human trafficking will largely remain underreported, but, over time, data from the UCR, supplemented with data from other sources, including information about investigations undertaken by federal agencies, data from federally funded task forces, and reports of cases identified through the national human-trafficking hotline, will provide us with concrete information about how many human-trafficking victims are identified in the United States.

Challenges of measuring human-trafficking crimes

State and local law enforcement face numerous challenges identifying and reporting human-trafficking offenses. Research on human-trafficking victims suggests that not only do they not come forward to the police for similar reasons as other crime victims but additionally reporting is reduced due to threats, debt obligations, lack of opportunities to tell others, confusion about their location or surroundings due to constant movement by traffickers, deportation fears, and language barriers (Lange, 2011). Many human-trafficking victims are unfamiliar with the term “human trafficking” and do not self-identify as victims (Irazola et al., 2008), further reducing the likelihood of their reporting to the police. Even if human-trafficking victims seek police assistance because they recognize something bad has happened to them they may not be able to articulate that the harm they experienced is “human trafficking.” This challenge is exacerbated when law enforcement lacks the training necessary to guide investigations into human trafficking.

Law enforcement generally lacks training and awareness about the crime of human trafficking and its elements (Farrell, 2014; Farrell, McDevitt, & Fahy, 2010; Newton, Mulcahy, & Martin, 2008; Wilson, Walsh, & Kleuber, 2006). As of 2014, Polaris reports that only 32 states mandate training of law enforcement on human-trafficking crimes (Polaris, 2015). Without proper training, the police are unlikely to identify human trafficking through the course of routine police activities. A limited number of surveys have been conducted with local and municipal police to gauge their understanding and recognition of human trafficking. Grubb and Bennett (2012) surveyed a small number of officers in Georgia to determine their level of consciousness about human trafficking. They found a majority of officers reported being aware of the definition of the crime but had not used it in investigation, suggesting officers may have a basic understanding of human trafficking but have little experience putting definitions into practice. Similarly, Renzetti, Bush, Castellanos, and Hunt’s (2015) study of law-enforcement officials in Kentucky indicates that, although executive and midlevel officers had received some human-trafficking training, awareness of that training content did not trickle down to patrol officers in the same departments. Of particular importance, Renzetti and colleagues found that officers who thought it was unlikely that they would encounter human-trafficking victims were less likely to have knowledge of the policies and procedures regarding human-trafficking identification and investigation compared to officers in their agency who believed they would encounter victims. These findings confirm previous research by Farrell and Pfeffer (2014) that officers are impeded by “cultural blinders” that prevent them from recognizing and prioritizing human-trafficking investigations despite training.

Even when the police have received basic training about human trafficking, they lack an investigative culture that supports the types of investigations that may be most effective in identifying a broad range of human trafficking (Farrell & Pfeffer, 2014; Gallagher & Holmes, 2008; Wilson & Dalton, 2008). Underidentification is particularly true for labor trafficking where routine police operations are unlikely to uncover labor-trafficking offenses in fields, restaurants, or private businesses. Additionally, the police often lack the same authority to investigate business operations or to question employees as they do with illicit commercial-sex operations, which makes establishing probable cause more challenging in labor-trafficking cases.

Officers can also misidentify human-trafficking victims. Officer expectations about what human-trafficking victims should look like are exacerbated by stereotyped narratives of trafficking victims—primarily highly vulnerable, young women, who are forcefully trafficked for sexual exploitation (e.g., locked up or chained to a bed)—which are widely depicted in film, news, and even official training materials (Haynes, 2007). When law-enforcement officials encounter human-trafficking incidents, they struggle to distinguish human-trafficking crimes from other previously existing crimes such as prostitution or smuggling, commonly misclassifying human-trafficking victims as victims of other crimes or as offenders (Farrell, Owens, & McDevitt, 2014; Farrell, Pfeffer, & Bright, 2015). As research has seen in intimate-partner

violence (Berk, Loseke, Fenstermaker, & Rauma, 1982) and other crimes with close victim-offender relationships or where victims initially indicate a preference for incidents to be treated informally (Black, 1970), responding officers have historically been reluctant to document these crimes officially. Because human-trafficking victims and offenders are often known to each other and may appear to have interpersonal relationships (Kotrla, 2010), we should also expect the police to be reluctant to classify situations that look like intimate-partner violence as human trafficking. Finally, the involvement of human-trafficking victims in illicit activity such as prostitution as a part of their exploitation further complicates the accurate identification of human-trafficking victimization.

Known data on human-trafficking crimes

To date, most data about human-trafficking crimes have come from federal law-enforcement agencies such as the FBI and Department of Homeland Security. Since 2004, the U.S. Attorney General has reported the total number of human-trafficking investigations by the FBI and Immigration and Customs Enforcement (ICE). The number of human-trafficking investigations reported by federal law-enforcement agencies has risen substantially in the years following the passage of the TVPA (see Figure 1). By 2012, the Department of Homeland Security (Immigration and Customs Enforcement/Homeland Security Investigations) reported examining 894 human-trafficking investigations, and the Federal Bureau of Investigation reported 306 investigations.

Despite the promise of this information, there are a number of shortfalls in relying on data from federal agencies. First, we should not expect all human-trafficking crimes to be investigated by federal agencies. Criminal-law enforcement has historically been the responsibility of state and local governments. Federal agencies' jurisdiction is limited to the investigation of offenses explicitly within the power of the federal government such as crimes that cross state lines or that affect interstate commerce. Additionally, federal law-enforcement agencies do not have the resources to respond to every local human-trafficking case. In many cases, local law-enforcement agencies are in fact in the best position to identify and respond to local human-trafficking operations. The Federal Strategic Plan developed by the President's Interagency Task Force to Monitor and Combat Human Trafficking in Persons (Coordination, Collaboration, Capacity, 2013) suggests that local law enforcement are the key figures in the identification of human trafficking because of their close ties to and

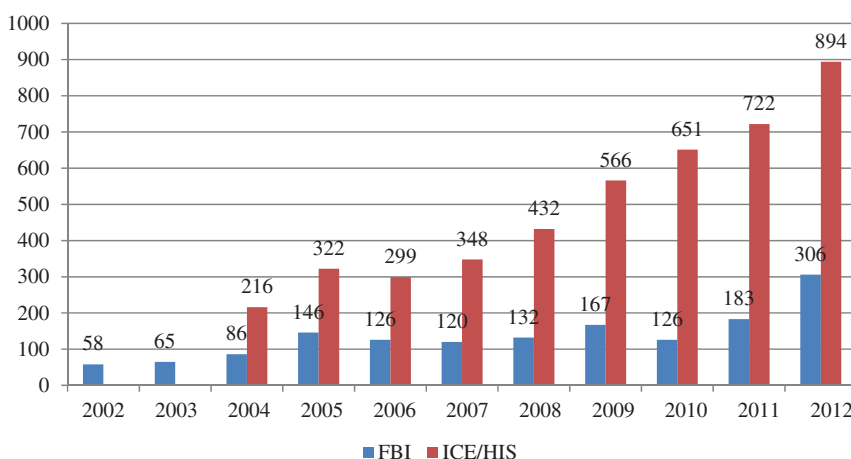


Figure 1. Human-trafficking offenses reported by federal law enforcement agencies, 2002–2012.

Data source: Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons, 2002–2012.

knowledge of crime in local communities. Although federal investigators have developed expertise investigating human trafficking, they are not equipped to investigate all human-trafficking crimes. As a result, federal investigations of human trafficking will always represent only a subset of all human-trafficking incidents identified by law enforcement in the United States. Second, the data reported by federal law-enforcement agencies are aggregate counts of investigations opened during the calendar year with no accounting for the number of victims or perpetrators associated with each case. Finally, offenses may be double counted if multiple federal agencies are involved in a single investigation.

In addition to the data from federal law-enforcement agencies, since 2004, the federal government has funded task forces that bring together local, state, and federal law-enforcement agencies to identify and respond to human-trafficking crimes (U.S. Department of Justice, Bureau of Justice Assistance [BJA], n.d.). Originally the Bureau of Justice Assistance funded a relatively large number of anti-trafficking task forces (42 were funded between 2004 and 2007) that included primarily law-enforcement partners (Office of Justice Programs [OJP], 2011). Since 2010, the BJA and the Office of Victims of Crime (OVC) have partnered to fund a smaller number of more comprehensive, multi-disciplinary task forces organized to enhance the collaboration between law enforcement and victim service provider partners in local communities. In 2015, the BJA continued its financial support for six existing task forces and funded 10 additional task-force partnerships for a total of 16 task forces funded under the Enhanced Collaborative Anti-Trafficking Model (U.S. Department of Justice, Bureau of Justice Assistance [BJA], n.d.).

Detailed data on the investigations as a result of task-force activities have been reported since 2008 through the Human Trafficking Reporting System (HTRS). The Bureau of Justice Statistics released two reports summarizing HTRS data (Banks & Kyckelhahn, 2011; Kyckelhahn, Beck, & Cohen, 2009), and HTRS data have also been reported in the U.S. Attorney General's Annual report to Congress. Between 2008 and 2014, the federally funded human-trafficking task forces reported identifying just over 7,000 potential human-trafficking victims (BJA, n.d.). Although the HTRS data provide detailed information on human-trafficking incidents, victims, and offenders, the data are limited to those agencies participating in a small number of federally funded task forces and are not nationally representative. Additionally, incomplete reporting limits the utility of HTRS data from some task forces (Banks & Kyckelhahn, 2011).

In addition, some states have adopted local task forces or commissions tasked with the collection of information about the extent and scope of human trafficking within a state. Polaris reported 21 states had task forces or commissions (Polaris, 2015). In response to the task-force mandates, states are beginning to develop mechanisms to capture information about human-trafficking victims and offenses identified by local law enforcement and service providers, but, to date, no state has a comprehensive data collection system. For example, in 2013 the Massachusetts Attorney General's Interagency Human Trafficking Policy Task Force recommended Massachusetts develop a mechanism to collect and share data on minor human-trafficking victims identified and served by multi-disciplinary teams working throughout the state that comprise the primary response to identified minor trafficking victims (Massachusetts Interagency Human Trafficking Policy Task Force, 2013). A system to collect uniform data from multidisciplinary teams operating throughout the state has begun, but significant additional work is needed to incorporate information about adult victims who are presently being identified and served by a variety of different agencies.

Employing a law-enforcement intelligence model in which information is shared across law-enforcement agencies to combat key criminal activities, California is utilizing its State Threat Assessment Center to collect data on human-trafficking offenses identified by police agencies operating in regional task forces throughout the state. In 2012, the California Attorney General reported that between 2010 and 2012 California state law enforcement initiated 2,552 investigations for human trafficking. During these investigations, 1,277 victims were identified. As a result, the number of trafficking victims was smaller than the amount of investigations (Harris, 2012). Despite

the promise of the intelligence center approach, the report cautions that human-trafficking statistics, even when available, may be “understated, unreliable or inconsistent” (Harris, 2012, p. 48).

Most states lack a centralized mechanism to collect information on human-trafficking victims or incidents identified by state agencies. Many states instead rely on state data from the National Human Trafficking Resource Center (NHTRC) that captures the numbers of calls to the national hotline about potential cases of human-trafficking victimization. The soundest conclusions that can be drawn from the NHTRC data are that the number of calls about potential human-trafficking victimization has increased nationwide since 2007 when calls were first tracked. Since 2007, 24,156 potential human-trafficking cases have been reported by the public to the NHTRC. The number of cases reported to the NHTRC has risen steadily each year with 3,279 potential cases reported in 2012, 4,884 cases reported in 2013, 5,042 cases reported in 2014, and 5,544 cases reported in 2015 (NHTRC, 2015, 2016). Of the 5,544 human-trafficking cases reported in 2015, 75% were cases of sexual exploitation (NHTRC, 2016). In addition, there was a 24% increase in trafficking victims contacting the NHTRC from 1,322 in 2014 to 1,636 in 2015. Unfortunately, the NHTRC data are not linked to police data to determine how many of these calls resulted in a confirmed human-trafficking victim or investigation.

Counting human trafficking through the Uniform Crime Reporting program

In order to overcome many of the challenges noted above related to the measurement of human-trafficking crimes, the William Wilberforce Trafficking Victims Protection Reauthorization Act by Congress directed the Federal Bureau of Investigation to begin collecting information on human trafficking through its UCR program in 2008. The goal of the 2008 act was to standardize the collection of human-trafficking information from law enforcement utilizing the mechanism most familiar to the field.

What is the UCR?

The Uniform Crime Reporting (UCR) program began in the 1920s as an effort to develop uniform national crimes statistics. Housed at the FBI, the UCR collects data on criminal offenses reported from roughly 95% of state and local law-enforcement agencies who voluntarily report to the FBI. Today nearly 17,000 law-enforcement agencies across the United States participate in the UCR (FBI, 2015b).

There are two major sources of UCR data: the Summary Reporting System (SRS) and the National Incident-Based Reporting System (NIBRS). The SRS requires law-enforcement agencies to tally the number of crimes reported in predefined crime categories. Crimes are classified by type and organized into two major categories: Part I crimes represent more serious offenses and Part II crimes are other less serious or less commonly occurring offenses. Law-enforcement agencies tally the number of identified crimes in each category cleared by arrest. Data from each law enforcement agency are aggregated and submitted monthly either directly to the FBI or through a state crime-reporting program. NIBRS allows law-enforcement agencies to report detailed data on each criminal incident including when and where crime takes place, what form it takes, and characteristics of victims and perpetrators. In 2013, 6,328 law-enforcement agencies used NIBRS in 37 states. In 2013, human trafficking, which includes the offenses of commercial-sex acts and involuntary servitude, was added as a crime category in both the UCR summary reporting and NIBRS programs.

The UCR provides the only source of data on major crime types over a long period of time (Loftin & McDowall, 2010). According to Loftin and McDowall, in many cases, UCR provides the only data available to answer many research questions on crime (2010). UCR is used by law enforcement for budgeting, planning, and resource allocation, by chambers of commerce and tourism agencies, legislators, public, and private entities, and news media (FBI, 2011). Data from the UCR program are widely used in research because it represents the most robust source of information about crime collected across local communities across time (Blau & Blau, 1982).

Despite its wide use, the validity of the UCR as an accurate crime measure has been questioned because not all states collect data, some states do not collect every year, some only report some of their data, and some data are inaccurate due to human error or intentional omission (Maltz, 1999). One of the greatest limitations of the UCR program is that it measures only crime reported to police and some crimes are acknowledged to be underreported. For example, an estimated 65% of rapes and sexual assaults are not reported to police (Bureau of Justice Statistics [BJS], 2012). The UCR relies heavily on victims deciding to report or not report crimes or police proactively identifying crimes occurring in their community. As a result, the UCR reflects law-enforcement knowledge, processes, and procedures rather than true rates of crime (O'Brien, Shichor, & Decker, 1980).

UCR adds human-trafficking crime categories

Between 2008 and 2013 the FBI's Criminal Justice Information Services (CJIS) modified the UCR program to include the categories of information specified in the 2008 William Wilberforce Trafficking Victims Protection Reauthorization Act. Law enforcement agencies participating in the UCR Program must now submit data on offenses known to police and arrests in two categories defined as: "*human trafficking /commercial sex acts*: inducing a person by force, fraud or coercion to participate in commercial sex acts, or in which the person induced to perform such act(s) has not attained 18 years of age, or *human trafficking/involuntary servitude*: the obtaining of a person(s) through recruitment, harboring, transportation, or provision and subjecting such persons by force, fraud or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts)" (Federal Bureau of Investigation, 2013, p. 1). The 2008 act also directed the FBI to revise the UCR and NIBRS in order to breakdown the previously existing prostitution and commercialized vice offense into three categories distinguishing between prostitution, assisting or promoting prostitution (trafficking/pimping), and purchasing prostitution. The UCR program also updated the Supplementary Homicide Report form to include a new homicide circumstance code for human trafficking.

On January 1, 2013, the UCR Program began collecting data on human trafficking. CJIS released a bulletin informing state UCR managers and local reporters about the new crime categories and providing basic instructions for preparing monthly returns of human-trafficking offenses known to law enforcement (FBI, n.d.). The human-trafficking data submitted to the UCR program differs from other Part I data. First, human-trafficking crimes are not subject to the UCR hierarchy rule that requires the most serious offenses be reported when there are multiple offenses in one arrest incident. Second, human-trafficking offenses are reported *per victim*. This means that if law enforcement encounters a situation where a human-trafficking victim is forced to labor in agricultural fields during the day and to engage in commercial sex at night, the law-enforcement agency would report one offense of involuntary servitude and one offense of commercial-sex acts. Additionally, when a single incident includes multiple victims, law enforcement should report one offense per identified victim. Law enforcement was instructed to report all human-trafficking offenses and attempted offenses "whether they become known to the police as the result of (a) citizens' complaints, (b) reports of police officers, (c) "on view" (pick-up) arrests, (d) citizens' complaints to sheriff, prosecutor, county police, private detective, constable, etc., and (e) any other means" (FBI, n.d.). Outside of the three-page bulletin released by CJIS, state UCR program managers and local reporters within law enforcement were provided with no other training materials to help guide the identification and classification of human trafficking.

As of this publication, the Association of State Uniform Crime Reporting Programs (ASUCRP), the parent association for all state UCR program managers, still does not yet list human-trafficking offenses in its description of either UCR Summary or NIBRS reporting programs on its home Web site (ASUCRP, n.d.). In addition to listing general information about the UCR and NIBRS reporting programs, the ASUCRP's Web site provides links to coding scenarios that are general examples used in classifying offenses. To date, there have been no coding scenarios related to human-trafficking offenses provided on the site or provided by the FBI NIBRS Training Center. The lack of official

training is particularly noteworthy as research suggests law enforcement struggles to distinguish human trafficking from other crimes such as prostitution (Farrell et al., 2015).

Human trafficking reported to UCR

In 2015, the FBI released both the 2013 and 2014 data on human-trafficking crimes collected through the UCR. The number of agencies reporting participation in the UCR human-trafficking data collection in 2013 was extremely low as were the number of identified offenses and arrests. The FBI reported only 13 states had begun integrating human-trafficking-crime categories in either UCR SRS or NIBRS by the end of 2013 (Federal Bureau of Investigation, 2015a).¹ Across the small number of states participating in the UCR human-trafficking reporting program, only 13 human-trafficking/commercial-sex acts and one involuntary servitude offense were reported in 2013. By the 2014 report, 29 states had integrated human trafficking into their state crime-reporting program, and 300 human-trafficking/commercial-sex acts and 141 involuntary servitude offenses were reported. While in 2014 only 10 states reported data on the arrest of human-trafficking suspects, there were 952 suspect arrests reported for this smaller subset of states (Federal Bureau of Investigation, 2015b).

Although the 2014 data represent a significant improvement over the 2013 data, not all states are participating in human-trafficking reporting and, among those states that are, not all county and municipal agencies provide information on human-trafficking offenses or arrests. In the methodology section of each report the FBI includes a note suggesting that sparse data are to be expected in the first years of any data-collection program because it takes time and resources for agencies to implement technical changes such as to records management systems facilitating the collection of new UCR crime categories. Additionally, the reports indicate that training and education of state UCR reporters, records management divisions within police departments, and officers themselves are necessary to facilitate accurate reporting of identified human-trafficking crimes. As the FBI notes in the report on the 2013 data, “The investigation of human trafficking by local, state, tribal and federal agencies is one facet of this crime. However, due to the nature of human trafficking, many of these crimes are never reported to law enforcement (Federal Bureau of Investigation, 2015a).

To improve our interpretation and use of UCR data on human trafficking being released over the next few years, we undertook an exploratory study of state human-trafficking reporting. The research presented here helps us understand how many state UCR programs are currently reporting human-trafficking offenses and the challenges local agencies have faced identifying, classifying, and reporting human-trafficking crimes through the UCR program.

UCR program manager survey

Survey methods

To gather baseline data about state human-trafficking reporting into the UCR program, we sent an online survey to all state UCR managers on the contacts listed through the Association of State Uniform Crime Reporting Programs (ASUCRP). In most states, local law-enforcement agencies submit crime reports monthly to a centralized crime records facility within their state. The state UCR program manager then reviews the data, applies uniform offense definitions and forwards the data to the FBI’s UCR program. In states without a state crime-reporting program, local law-enforcement agencies directly submit their data to the FBI. A total of 40 UCR managers completed the online survey, a response rate of 78%.² Researchers e-mailed a link to the online survey in June 2015 with two follow-up/reminder e-mails and phone calls in July and August 2015. The survey consisted of 13 questions on general state UCR reporting and more specifically state reporting of human trafficking to UCR. The survey was created with SurveyGizmo online survey software and analyzed using Microsoft Excel and SPSS predictive analytics software.

In September 2015, the FBI published human-trafficking data in the 2014 “Annual Report Crime in the United States” (FBI, 2015b). Therefore, in the case of missing survey responses, we used data on human-trafficking offenses and clearances with FBI’s official UCR data (Federal Bureau of Investigation, 2015). We used UCR data for offense and clearance data for 27 states and survey data for two states (Georgia and Wisconsin).

Survey findings

The UCR managers reported their states represented 14,545 law-enforcement agencies, ranging from 38 to 2,000 agencies, with a median of 272 agencies per state (five managers did not respond to this question). Respondents reported that 86% of their law-enforcement agencies reported to the state UCR program ($n = 12,489$), ranging from four agencies (Hawaii) to 1,920 agencies (Texas). Per state, a mean of 320 and a median of 246 law-enforcement agencies reported to the UCR program (one manager did not respond).

Seventy percent (70%) of UCR managers indicated that their states participated in NIBRS ($n = 28$) and 30% did not ($n = 12$). Of the 28 states that participated in NIBRS, 10 reported a human-trafficking offense or arrest to UCR (36%); of the 12 non-NIBRS states, five reported human-trafficking offenses or arrests to UCR (42%). Although there was some belief that agencies participating in NIBRS would have more comprehensive crime-reporting programs and, thus, would identify human-trafficking offenses more easily through the incident-based reporting program, preliminary data from state UCR managers indicate that NIBRS participation may not have a relationship to reporting human trafficking.

A majority of UCR managers (65%) reported that their state has integrated human trafficking into its state reporting for UCR ($n = 26$), and one fourth reported that they had not ($n = 10$) (four managers reported that they were unsure whether or not their state UCR program incorporated the new human-trafficking crimes).

UCR program manager respondents were asked if their state promoted or encouraged law enforcement reporting of human trafficking; 47.5% indicated *yes*, 22.5% *no*, and 27.5% *unsure* (one did not respond). Of those who indicated human-trafficking reporting was promoted or encouraged, most described their efforts as disseminating information about the crime to local agencies through a monthly newsletter or bulletin. Other responses included adding human trafficking to regular UCR/NIBRS program briefing and annual conferences. One respondent indicated that he or she provides information through a monthly report but clarified that “through media exposure, law enforcement should pick up how important it is.” Only Illinois and Texas reported that their states made human-trafficking reporting required for participation in the state-reporting programs.

One fourth of states stated they trained officers in the reporting of human trafficking, 15% did not, and 57.5% were unsure (one did not respond). Respondents reported that this training was normally part of routine UCR/NIBRS programming, but, although it included presentation of the human-trafficking-crime categories, it was not specific to the identification or classification of human-trafficking offenses. Training participation varied across the responding agencies, though most included at least supervisory staff and investigators. Illinois reported that in addition to adding human-trafficking offenses to its routine crime-reporting-program training, the state held a two-day seminar, bringing in national experts to help guide local police on human-trafficking identification and response. Seven UCR managers shared the number of law-enforcement agencies in their state that were trained on the reporting of human trafficking—Texas, Illinois, Tennessee, Colorado, Michigan, Rhode Island, and Hawaii. Of those, they trained 2,234 police officers. States on average trained 319 officers, ranging from 4 (Hawaii) to 1,060 officers (Texas) per state. Only three states shared the number of police officers trained—Michigan trained 400 officers; Hawaii trained 35; and Rhode Island trained 10.

We also attempted to gauge the confidence UCR managers had with law enforcement performing tasks of identifying, counting, and reporting human-trafficking offenses and arrests in their local

Table 1. UCR Manager Level of Agreement on Law Enforcement's Ability to Properly Identify, Count, and Report Human Trafficking ($n = 40$ states).

Task	% Strongly Agree	% Agree	% Unsure/Neither	% Disagree	% Strongly Disagree	No Response*
Identify cases	12.5%	35.0%	42.5%	5.0%	0.0%	5.0%
Count offenses	5.0%	40.0%	47.5%	2.5%	0.0%	5.0%
Report offenses in system	5.0%	37.5%	45.0%	3.0%	0.0%	5.0%
Report arrests in system	5.0%	35.0%	52.5%	2.5%	0.0%	5.0%

*Two states, Michigan and New Jersey, did not respond to these series of questions.

systems to include in official UCR counts. Most respondents were unsure of, or were neutral on, law enforcement's ability to conduct those tasks properly. Just over one third of respondents agreed that police could properly manage those tasks, 12% of respondents strongly agreed that police could identify human-trafficking offenses, and 5% strongly agreed that police could accurately count offenses, or report offenses or arrests, for UCR reporting. [Table 1](#) offers the breakdown of responses.

Human-trafficking offenses

Of the 29 states reporting human trafficking (27 using data from FBI UCR and two states from survey data), a total of 461 human-trafficking *offenses* were reported into state UCR programs in 2014. There were 300 commercial-sex-act offenses and 141 involuntary-servitude offenses (18 offenses were not classified). Six states reported no human-trafficking offenses (Delaware, Hawaii, Idaho, Nevada, Ohio, and Utah). The highest number of offenses was in Texas ($n = 191$). There was an average of 15.9 human-trafficking offenses reported to UCR programs per state.

Human-trafficking arrests

In 2014, 29 states reported 150 human-trafficking *arrests*—98 for commercial-sex acts and 21 for involuntary servitude (31 arrests were unknown). Sixteen of the states reported no human-trafficking arrests and Florida reported the highest at 47 arrests. The average number of arrests per state was 5.17. [Table 2](#) shows responses from the states that reported either a human-trafficking offense or arrest or both.

Only two states report arrests of juveniles for human trafficking—Texas reported eight arrests and Missouri reported one. There were 109 arrests for juveniles under the age of 18 and 837 for adults—88.5% adults and 11.5% youth. Of the nine states reporting arrests by race, 81.8% of arrests were of whites, and 18.2% nonwhites and by ethnicity, 28.2% Hispanic and 71.8% non-Hispanic.

Although there is no official data source on the number of human-trafficking offenses that *should* have been reported into the UCR program, it is noteworthy that human-trafficking cases have not been reported or have been reported in very low numbers in some states where human-trafficking cases are anticipated to be more prevalent. For example, no human-trafficking case has been reported in California because human trafficking has not been integrated into the state crime-reporting program. California is the site of three federally funded human-trafficking task forces, nine state-funded regional human-trafficking task forces, and a handful of counties with active human-trafficking prosecution units. We would anticipate they have identified human-trafficking offenses that should be reported. Of the states that do report data, Florida, Illinois, Minnesota, and Texas have all housed federally funded human-trafficking task-force sites for many years. As anticipated, law-enforcement agencies in these states identify and report human-trafficking crimes, though the number of human-trafficking offenses they report is low and not all agencies in these states participate in human-trafficking reporting.

Just as UCR has limitations with the collection of human-trafficking data, so do other sources of crime data, including state arrest records (Devitt Westley & Hughes, 2015). In addition, UCR captures offenses and arrests but cannot share what happens later in the system including

Table 2. States Reporting Human-Trafficking Offenses and Clearances by State in UCR, 2014.

State	Law-Enforcement Agencies Reported to UCR	Commercial-Sex Acts		Involuntary Servitude		Total	
		Offenses	Total Cleared	Offenses	Total Cleared	Offenses	Total Cleared
Alaska	20	11	3	0	0	11	3
Arizona	6	15	8	0	0	15	8
California	2*	0	0	0	0	0	0
Colorado	249	11	0	2	0	13	0
Delaware	60	0	0	0	0	0	0
Florida	698	57	44	3	3	60	47
Georgia*	600	NR	NR	NR	NR	14	NR
Hawaii	2	0	0	0	0	0	0
Idaho	2	0	0	0	0	0	0
Illinois	716	50	0	17	0	67	29*
Indiana	78	0	0	0	0	0	0
Kansas	5	1	1	0	0	1	1
Massachusetts	7	6	4	1	0	7	4
Michigan	657	2	2	1	0	3	2
Minnesota	9	22	5	1	1	23	6
Missouri	636	5	2	1	0	6	2
Mississippi	68	0	0	0	0	2	1
Montana	117	1	0	0	0	1	0
Nevada	35	0	0	0	0	0	0
Ohio	78	0	0	0	0	0	0
Oklahoma	65	10	7	0	0	10	7
Oregon	111	0	0	0	0	0	0
South Dakota	137	0	0	0	0	0	0
Tennessee	467	29	0	1	0	30	0
Texas	1,074	78	22	113	17	191	39
Utah	142	0	0	0	0	0	0
Washington	247	2	0	0	0	2	0
Wisconsin*	415	NR	NR	NR	NR	4	1
Wyoming	61	0	0	1	0	1	0
Total	6,762	300	98	141	21	461	150

Data source: UCR data from FBI, Crime in the United States, 2014 (FBI, 2015b).

Note: NR = Not reported.

*Source was survey.

prosecutions, convictions, and sentences. In most states, there is no statewide system to collect that data but rather is done at a local or county level.

The UCR manager survey provided basic information on which states had integrated human trafficking into their state crime-reporting program and some indication of how many cases were reported for 2014. Missing from the survey was information about how local agencies who report data to the state UCR program managers identify and report human-trafficking offenses. To better understand how human-trafficking-crime reporting occurs at the local level, we used case studies to learn more about UCR reporting of human-trafficking offenses. We chose two states reporting high numbers of human-trafficking cases on the UCR manager survey.

Case studies of human-trafficking reporting in Illinois and Tennessee

Case-study methods

After receiving information on the state of UCR human-trafficking data collection from state UCR managers, we selected two states as case studies—Illinois and Tennessee—in which to delve more deeply into the process by which human-trafficking data were collected and reported into the UCR program. These two states were selected due to the reporting of relatively high human-trafficking offenses to UCR. Interviews were conducted with the crime-reporting staff, investigative unit heads, and investigators in two state crime-reporting agencies and three local law-enforcement agencies

(two in Illinois and one in Tennessee) with experience reporting human-trafficking cases. The interviews were intended to provide baseline information about human-trafficking identification and investigation, challenges of reporting human-trafficking cases once identified to UCR, and issues with verifying the accuracy of human-trafficking offenses reported to the state UCR program. Researchers contacted subjects by e-mail to set up and conduct 30- to 60-minute, semi-structured, telephone interviews between May and September 2015.³ Interviews were conducted with the following: Illinois Uniform Crime Report (I-UCR) Program Manager; Illinois State Police Chief Operations Research Analyst; Chicago Police Department; Records Supervisor, Downers Grove Police Department; Lieutenant, Investigations Division, Downers Grove Police Department; the Tennessee Bureau of Investigation Criminal Justice Information Services (CJIS) Support Center Supervisor; the Tennessee Bureau of Investigation, and the Memphis Police Department, Quality Assurance/Compstat Unit.⁴

The interviews allowed researchers to find out more about how jurisdictions report to UCR. Although these subjects do not represent all knowledge about the reporting of human-trafficking crimes into the UCR for the two study states, they were chosen because they represent agencies with relatively high levels of UCR reporting, but, since a small number were interviewed, they are not generalizable. Despite this limitation, these data shed light on the context of what is currently known about official law-enforcement reporting of human trafficking into the UCR program.

Background on study sites

Illinois

Since 2006, Illinois has passed new laws creating or strengthening criminal offenses against human traffickers and assistance to victims. The state has a safe-harbor law that decriminalizes prostitution for minors under the age of 18. Since 2011, the U.S. Department of Justice's Bureau of Justice Assistance and the Office for Victims of Crime have funded the Cook County Human Trafficking Task Force, a multidisciplinary group bringing law enforcement and social and legal service agencies together to work on human-trafficking cases. The task force is a joint project of the Cook County State's Attorney's Office and the Salvation Army STOP-IT Program, and Chicago Police Department is a member. There are two residential treatment programs in Illinois fully dedicated to human-trafficking victims—Anne's House in the Chicago metro area and Grounds of Grace near Springfield in Sangamon County (Reichert & Sylwestrzak, 2013).

Illinois is not an NIBRS state, so in 2014, 732 (out of over 1,000) law-enforcement agencies submitted monthly crime data to the Illinois State Police to be included in UCR (Illinois State Police, 2015). Although Illinois reported 44 human-trafficking offenses to UCR in 2014, the National Human Trafficking hotline received 492 calls from Illinois callers, who reported 140 suspected cases of human trafficking and 48 victim calls (National Human Trafficking Resource Center, n.d.). The hotline received information about 18 labor cases and 110 trafficking for sexual-exploitation cases in Illinois in 2014 (12 unknown or sex and labor) (National Human Trafficking Resource Center, n.d.). Although not all cases reported to the NHTRC turn out to be crimes of human trafficking, these comparison statistics suggest that human-trafficking offenses may not be captured fully in the current law-enforcement crime-reporting program.

Out of all the states, Illinois' law-enforcement agencies reported the second highest number of arrests (29) and second highest human-trafficking offenses (44) to UCR in 2014. Researchers were able to conduct interviews with two Illinois police departments: the Chicago Police Department that reported the most offenses of human trafficking in Illinois (14 commercial-sex acts); and Downers Grove Police Department that reported five commercial-sex acts (see Table 3). Downers Grove is a western suburb of Chicago in DuPage County with an estimated 2014 population of 49,715, suggesting smaller, suburban, homogenous, and more affluent communities can be affected by human trafficking and can develop identify and report these crimes.

Table 3. Human-Trafficking Offenses and Arrests in Illinois by Law-Enforcement Agency, 2014.

County	Law-Enforcement Agency	Offenses		Arrests	
		Commercial-Sex Acts	Involuntary Servitude	Commercial-Sex Acts	Involuntary Servitude
Cass	Beardstown PD	2	0	2	0
Champaign	Champaign Sheriff	0	0	1	0
Cook	Arlington Heights PD	1	0	1	1
Cook	Chicago PD	14	0	0	0
Cook	East Hazel Crest PD	1	0	0	0
Cook	University of Chicago PD	2	2	0	0
Cook	Union Pacific Railroad Police	0	1	0	0
DuPage	Darien PD	0	2	0	0
DuPage	Downers Grove PD	5	0	0	0
Knox	Galesburg PD	1	0	1	0
Logan	Unknown	0	0	0	1
Madison	Madison County Sheriff	2	0	8	0
Madison	Maryville PD	1	0	0	0
Randolph	Randolph County Sheriff	1	1	0	0
Rock Island	Moline PD	0	1	0	1
St. Clair	Fairview Heights PD	1	1	3	0
St. Clair	O'Fallon PD	3	0	0	0
Woodford	Woodford County Sheriff	0	0	0	9
—	Illinois State Police	2	0	0	0
Total		36	8	16	12

Data source: Crime in Illinois 2014 (Illinois State Police, 2015).

Tennessee

All Tennessee law-enforcement agencies, including colleges and universities, participate in a state incident-based reporting program called the Tennessee Incident-Based Reporting System (TIBRS). TIBRS collects information on up to 10 offenses occurring within the same incident. Each agency submits data electronically through the TIBRS online statistics Web portal. The TIBRS data and the data published by the FBI for Tennessee are not comparable because of differences in the number of types of crimes that can be reported.

Tennessee passed a law criminalizing human trafficking in 2007 and has subsequently passed legislation expanding the state capacity to identify and respond to human trafficking. By 2014, the Tennessee Bureau of Investigation (TBI), the state's lead investigative law-enforcement agency, had conducted 24 certified trainings on identification and responses to human trafficking for over 10,870 law-enforcement, social-service, and other professionals. Additionally, the TBI has distributed over 30,000 "Identification and Resource" cards to first responders to help improve the detection of human trafficking. Additionally, the TBI has supported two major reports assessing the prevalence and scope of human trafficking across the state. In 2011, the federal government funded one of six Anti-Trafficking Coordination Teams (ACTeams) in Memphis comprised of federal prosecutors and agents from various federal law-enforcement agencies in the region who implement a regional strategic plan to combat human trafficking and to develop federal human-trafficking investigations (FBI, *n.d.-a*).

In 2014, Tennessee reported a relatively large number of human-trafficking offenses (40) and arrests (17) compared to other states. Of the human-trafficking victims reported, 95% were female and 75% were under the age of 18. In the 2014, the Crime in Tennessee report, Memphis Police Department reported the largest number of trafficking offenses in the state with 28 cases of human trafficking, including 24 commercial-sex-act offenses and 4 involuntary-servitude offenses (see Table 4).

Although Tennessee reported 40 human-trafficking offenses to UCR in 2014, the National Human Trafficking hotline received 266 calls from Tennessee in 2014 who reported 73 cases of suspected human trafficking (National Human Trafficking Resource Center, *n.d.*). The hotline calls

Table 4. Human-Trafficking Incidents and Arrests in Tennessee by Law-Enforcement Agency, 2014.

Law-Enforcement Agency	Incidents		Arrests*	
	Commercial-Sex Acts	Involuntary Servitude	Commercial-Sex Acts	Involuntary Servitude
Johnson County Sheriff	1	0	0	0
Caryville PD	1	0	0	0
Chattanooga PD	3	0	3	0
Memphis PD	24	4	8	1
Nashville PD	4	0	2	0
Pigeon Forge PD	1	0	1	0
Toone PD	1	0	1	0
Tennessee Department of Safety	1	0	1	0
Total	36	4	16	1

Data source: Crime in Tennessee, 2014 (Tennessee Bureau of Investigation, 2015).

*Offenses cleared by arrest.

revealed 10 labor victim cases and 57 trafficking for sexual-exploitation victim cases (6 were not specified or were sex and labor) (National Human Trafficking Resource Center, [n.d.](#)). Although the number of hotline callers was higher than the number of human-trafficking offenses reported by the police, the difference between hotline call and reported offenses was much lower than observed in Illinois.

Findings across case studies

Through interviews, we were able to identify four major challenges to accurate human-trafficking reporting including identifying offenses, training officers, supporting investigations, and enabling accurate human-trafficking reporting. Each of these challenges and examples from the interviews are discussed in more depth below.

Identifying human-trafficking offenses

Even when local law enforcement recognized the role their agencies and officers play in combatting human trafficking, officials in the cases studied here reported difficulty distinguishing between prostitution offenses and trafficking for sexual exploitation. The Chicago Police Department stated that most trafficking for sexual exploitation cases start off as prostitution arrests. According to Chicago Police Department policy, investigators screen for trafficking for sexual-exploitation victimization and begin a human-trafficking investigation after the arrest of a victim (or a pimp/facilitator) (CPD Special Order S04-27; Chicago Police Department, 2014). In Downers Grove, police officials described changing a prostitution offense to a commercial-sex offense on incident reports after uncovering information that the victim was a minor. The Chicago Police Department reported victims are reluctant to aid police in the prosecution of traffickers due to their reliance on, and personal connection with, their trafficker or pimp. In addition, it can take several months to build a strong enough case to arrest the perpetrator.

Similarly in Tennessee, despite the fact that the state has a safe-harbor law decriminalizing prostitution for minors under the age of 18, patrol officers are sometimes confused about whether or not a minor engaged in commercial sex should be arrested for prostitution offenses. One interviewee from TBI provided an example from one of the state training sessions when an officer came up to the instructor during a break to describe a situation in which he arrested the 12-year-old girl for prostitution. When the instructor explained that the state law no longer supports that as an arrest charge, the officer indicated that the magistrate had signed off on it. The TBI official suggested that this situation illustrates the continued challenge Tennessee officers face in understanding the crime of human trafficking and the differences between prostitution and trafficking for sexual exploitation, despite basic training and awareness-raising efforts. In the 2014 Crime in Tennessee

Report, TBI reports 1,335 prostitution offenses, 121 promoting prostitution offenses, and 62 purchasing prostitution offenses. In accordance with Tennessee state law, none of the prostitution offense arrestees were minors, but the state continues to make a large number of arrests of women for prostitution offenses, some of whom are likely human-trafficking victims.

Labor trafficking is even more difficult for officers to identify because, as with the Memphis Police Department, responsibility for human-trafficking identification and investigation is often located within units dedicated to sex crimes or exploitation of children. Not surprisingly a majority of the human-trafficking offenses identified by the Memphis Police Department were trafficking for sexual exploitation of a minor victims. Identification of labor trafficking is additionally difficult because victims have obstacles such as distrust of law enforcement in ethnic communities, concerns about immigration status, and traffickers who are a part of the same ethnic community as the victim (Heil & Nichols, 2015).

Training

In order to successfully comply with the new reporting procedures, law-enforcement agencies must train officers to both identify new offenses and to report these offenses using standard crime-reporting mechanisms such as incident reports. Historically, enforcement and reporting of other new crimes such as domestic violence (Buzawa & Buzawa, 2002; Ferraro, 1989) and hate crimes (Jenness & Grattet, 2005; Nolan & Akiyama, 1999) required comprehensive law-enforcement training and the adoption of local and state reporting policies to standardize response and reporting. Twenty-nine states have passed laws mandating that law enforcement receive education about human trafficking, but the states vary widely in the type of curriculum and format of the instruction that is required (Polaris, 2015). Many of these state-mandated-training efforts are still in development or are in the early stages.

A lack of law-enforcement instruction on human trafficking was evident in the case studies. In Illinois, the state's Law Enforcement Training and Standards Board did not have human trafficking as a regular training topic (E. Pingott, personal communication, April 28, 2016) and the two police departments studied held brief roll-call trainings but no formal guidance on identifying, investigating, and reporting human-trafficking offenses. Select Downers Grove Police Department officers from the tactical unit attended two sessions on human trafficking—one in Chicago and one held at the department by a trainer from the Cook County prosecutor's office. Downers Grove Police Department patrol officers were all instructed to call the department's tactical unit on any prostitution case, so the detectives could investigate for human trafficking if warranted. Similarly, the Memphis Police Department held roll-call trainings for all patrol officers to announce the new UCR crime categories and released a bulletin, but only a handful of investigators in the Internet Crimes Against Children (ICAC) unit received more comprehensive educational services from the Tennessee Bureau of Investigation (TBI) that might allow them to distinguish human trafficking from other crimes.

In Tennessee, the police training academies have begun to integrate human trafficking into their new recruit and annual refresher courses. Additionally, the TBI distributed cards to help frontline responders identify human-trafficking incidents statewide, but few agencies outside of the Memphis Police Department reported any human-trafficking cases. This is particularly surprising for communities such as Nashville, which have established networks of human-trafficking-victim service providers. The TBI has been trying to educate officers about the link between human trafficking and gangs. They use examples of gang members forcing young women into prostitution to illustrate trafficking for sexual exploitation. One of the training officers presents a graph overlaying known gang territory with the location of incidents where trafficking for sexual exploitation has been identified to further illustrate the connection.

Supporting the investigation of cases

The dedication of personnel who have been specially trained to identify and investigate human-trafficking crimes is critical to improving human-trafficking reporting. Specialized investigation structures for human-trafficking offenses exist in each of the case-study sites. The Chicago Police Department's Bureau of Organized Crime has a human-trafficking investigation team of five officers. If human trafficking is reported from outside the specialized team, the UCR manager in the Chicago Police Department will share with the team to confirm it as a human-trafficking offense. Similarly, in the Downers Grove Police Department, it is a two-officer, tactical unit investigating all human-trafficking crimes, but they do not currently work with neighboring Cook County's Human Trafficking Task Force. The Downers Grove Police Department attempts to identify human-trafficking cases through searches of social media and Web advertising for commercial sex in local hotels off highways.

At the Memphis Police Department, the Internet Crimes against Children Task Force (ICAC) unit has the responsibility for investigating human-trafficking crimes. The lieutenant in charge of the unit is on call 24 hours a day and commonly gets summoned to go out on the scene to talk with victims in situations where human trafficking is suspected. Because human-trafficking investigations are handled within the ICAC unit, there is an emphasis on child victims and trafficking for sexual exploitation, as evidenced by the fact that the majority of the victims of human trafficking identified by the Memphis Police Department are under the age of 18. Despite this organizational emphasis, the Memphis Police Department identified four labor-trafficking cases in 2014. The ICAC Unit Lieutenant is actively involved in human-trafficking-training efforts throughout the state.

Supporting accurate crime reporting

In addition to identifying and investigating human trafficking, officers need to accurately count human-trafficking offenses in order to have the most precise totals. Less than half of surveyed state UCR managers (47.5%) indicated that law-enforcement *reporting* of human trafficking in their state was encouraged or promoted. The addition of new human-trafficking crimes requires agencies to modify information systems and data-entry processes to capture new human-trafficking offenses and to change processes of reporting information into state-reporting programs to ensure human-trafficking-offense data are accurately reported in the UCR. Integration of human-trafficking offenses into a state's crime-reporting program is not mandatory, and some states may choose not to report human-trafficking crimes, despite the FBI's inclusion of the new category in the UCR.

In Illinois, each law-enforcement agency, regardless of agency size, has a Report Management System (RMS) that collects data on different offenses. Each agency's RMS system utilizes UCR codes for human-trafficking offenses. Later on, agencies can easily extract that information from their case-management system. When reporting to the I-UCR system, the Chief Operations Research Analyst, who is the designated person for Chicago Police Department, logs onto the I-UCR Web site and reports UCR data on a monthly basis. According to the Downers Grove Police Department records supervisor, officers can report human trafficking on paper incident reports or use mobile data terminals in their police vehicles to indicate human trafficking.

State and municipal law-enforcement agencies in Tennessee report crime data monthly into TIBRS. According to the Tennessee Information Systems Deputy, by 2014, human-trafficking-offense codes had been added into the record management systems for all law-enforcement agencies throughout the state. A majority of agencies utilize the same records management software platform. TBI worked with the vendor who supports that software to ensure the addition of human-trafficking offenses. Larger agencies have their own records management systems and they were responsible for ensuring that human-trafficking offenses were added. Human-trafficking-offense codes were added to the monthly TIBRS submission forms and local law-enforcement agencies were trained on the use

of the new codes, primarily through roll-call training and the release of a bulletin. Local crime-reporting managers received additional training about the new offenses during their annual training.

Case-study sites also report modest efforts toward verifying the accuracy of human-trafficking-crime reports. The Downers Grove Police Department reports having quality-control mechanisms in place to ensure correct reporting of human trafficking and other crimes in UCR. The Downers Grove Police Department lieutenant shared that the records manager reviews all offense report narratives to check to see if officers accurately classified offenses for UCR. If there is a question, the records manager will send it back to the unit for clarification. When the lieutenant reported human-trafficking cases, they were not sent back indicating officers are making the right classification for those crimes. Within the Memphis Police Department, the records unit reads incident reports to see if the narrative matches the crime designation. Validation checks are also conducted to ensure there are no errors. The Memphis Police Department quality-control officer indicated that to date no validation errors have been found with the human-trafficking cases reported to TIBRS, but there has been no effort to ensure that prostitution cases or other crimes where trafficking could be co-occurring are not mistakenly misclassified.

Numerous errors were identified throughout the course of the case studies. The Illinois State Police representative noted that the city of Flossmoor reported to I-UCR nine human-trafficking offenses and arrests, but those were typos and they were supposed to be zeros. Researchers corrected those numbers as well, but they point out the issue of human error when submitting large amounts of data on a national scale. Similarly, the UCR manager survey respondent from TBI at first wrongly provided a human-trafficking-offenses count that included the offense of “promoting prostitution.” Researchers uncovered this discrepancy and changed it in our analysis, but it indicates possible confusion on what offenses are to be included in official counts of human trafficking.

Because most agencies have historically classified trafficking for sexual exploitation, when tasked with new mandates to identify human-trafficking offenses, officers mistakenly classify some human-trafficking offenses as prostitution. The Chicago Police Department is exploring ways to link cases originally classified as prostitution and subsequently classified as human trafficking to avoid reporting the same offenses twice in the UCR.

Accurate crime reporting is further complicated by the collaborative nature of human-trafficking investigations. Case-study interviews confirmed that trafficking offenses may be reported more than once when multiple law-enforcement agencies are involved. According to the Chicago Police Department research analyst, when the FBI and the Chicago Police Department work on a case together, both would do independent reporting since UCR requires that all offenses “known” should be reported. Chicago Police Department reports any human-trafficking offenses in UCR regardless of joint participation with other agencies. City police, county sheriff’s departments, and federal agencies working together on a human-trafficking case may all be counting the same offense separately leading to inflated totals.

These challenges are not unique to human trafficking. Changes to the UCR program are rare and any newly defined offense (e.g., arson) or definitional change (e.g., rape) requires time and resources for local agencies to integrate changes into well-engrained UCR program policies and procedures. Since 2014 will be the first year, it is not yet possible to flag potential errors because there is no benchmark of previous reporting against which to compare.

Recommendations to improve UCR collection

Official data from law enforcement on human-trafficking offenses provide critical information about the scope of human-trafficking victimization in the United States and the reach of the criminal-justice system in identifying this crime. The UCR program added human-trafficking crimes in 2013 and we are just now starting to learn about the limitations and future possibilities for these data. Early statistics from 2013 and 2014 suggest very few human-trafficking offenses are identified and reported by the police. Our survey of state UCR managers indicates that by 2014, 15 states reported at

least one human-trafficking crime and that number is anticipated to grow with time. The cases studied here help us identify a number of challenges to the accurate reporting of human-trafficking crimes and suggest that UCR data should be interpreted cautiously as law-enforcement agencies nationwide train officers and establish structures to ensure accurate human-trafficking-crime reporting.

Although the implementation of human-trafficking-crime data collection is far from perfect, there are many reasons to remain optimistic about the potential of official reports to provide more reliable information about those human-trafficking offenses identified by the police in the future. History demonstrates that crime reporting in the UCR can be improved. For example, from 1960 to 2012, rape-offense reporting to UCR increased 391% (FBI, [n.d.-b](#)). Reporting of rape offenses has increased dramatically in response to increased public awareness and understanding of the offense, as well as training for law enforcement and changes in the way that rape offenses are identified and investigated by the police.

The following recommendations are informed by our findings from the state UCR manager survey and state case studies and are intended to improve the quantity and quality of human-trafficking data collected and reported by the police. Enhancing the collection of human-trafficking-crime data is a potentially revolutionary tool for helping us understand the nature of human trafficking in the United States and the effectiveness of anti-trafficking responses. These steps are critical if we hope to ever realize the full potential of crime reporting to improve our understanding of human trafficking.

Integrate human-trafficking offenses into all state crime-reporting programs

Although human trafficking was added to the UCR program in 2013, roughly half of the states we surveyed have not yet integrated human-trafficking offenses into their state crime-reporting program and some report no plans for integration. Moreover, some states with large populations, such as California and New York, still have not integrated human-trafficking offenses into their state crime-reporting program.

Incentivize reporting

Although participation in the UCR program is voluntary, Congress has taken numerous steps to incentivize state and local reporting. Most notably, it has tied the awarding of hundreds of millions of dollars in Justice Assistance Grants that support the operations of state and local law-enforcement agencies to reporting Part I violent crime. Although the Wilberforce Act required the FBI to collect human-trafficking-crime data, it did not specify human trafficking as a Part I violent crime. Doing so would link the submission of human-trafficking data to federal funding, incentivizing state and local reporting.

Increase and enhance training

The most important recommendation for improving human-trafficking reporting is comprehensive training. Law enforcement at all levels (patrol, investigation, supervision, and command) must learn about human-trafficking crimes and how to identify them. In order to improve human-trafficking education for law enforcement, training staff should be officers themselves and interactive scenarios should be utilized (Heil & Nichols, 2015). In addition to training law enforcement to identify human trafficking, guidance is needed to standardize human-trafficking-reporting procedures, such as the two-tier reporting model that the FBI recommends for hate crime. The Chicago Police Department representative recommended a checklist of items that officers could use to help them distinguish human-trafficking cases from regular prostitution cases, which would lead to more effective reporting. In addition, there is a need for research that evaluates to what extent training improves identification and reporting for human trafficking.

When the new UCR crime categories were rolled out in early 2013, the FBI provided limited guidance to agencies about how to classify human-trafficking cases that previously may have been investigated and therefore counted as prostitution or commercial-sex offenses in other crime-reporting series years. This process is in stark contrast to other training and technical assistance programs initiated by the FBI or the U.S. Department of Justice to help local law enforcement accurately identify newly defined crimes. For example, following the passage of the Hate Crime Statistics Reporting Act in 1990, the FBI released a procedures manual on the identification of forms of hate crime and offense reporting. The FBI suggested a two-step process—officers on the scene make an initial determination and a second officer with more training and expertise make the final determination of whether a hate crime has occurred. The manual was to clarify reporting processes and to raise awareness about hate crime.⁵ In the handbook, the FBI stated that without law enforcement’s “continued support and participation in identifying bias-motivated crimes, the FBI would be unable to annually publish Hate Crime Statistics. This partnership and, ultimately, this publication serve as the cornerstone in raising the nation’s awareness about the occurrence of bias-motivated offenses” (Federal Bureau of Investigation, 2013, p. 1). Other efforts included the four hate crime curricula for law issued by the Bureau of Justice Assistance in partnership with the FBI, the Federal Law Enforcement Training Center developed a hate/bias crime train-the-trainer program, and the 1995 Office of Victims of Crimes manual on bias crimes training for law enforcement and victim assistance providers. The U.S. Department of Justice’s comprehensive educational program on hate crime could serve as a model for improving human-trafficking reporting but such guidance has not occurred.

Monitor data and hold agencies accountable

Although we recognize that the human-trafficking data may be limited in the early years of integration into the UCR collection, it is important to monitor state and local human-trafficking data and to hold agencies accountable for their reporting. If an agency receives federal or state funding to respond to human-trafficking victims, it should be accountable for the human-trafficking crimes it reports (or fails to report) into the state crime-reporting program or face a penalty of withholding of funding.

Even if UCR reporting of human-trafficking crimes dramatically improves in the coming years, it will always be important to recognize that not all human-trafficking incidents will be identified by the police and be reported in police data. Despite this reality, research utilizing other methodologies such as respondent-driven sampling and multiple-system list estimation can help us better understand what proportion of all potential victims in local communities are identified by the police. Knowing this information will allow us to better estimate the degree of underreporting that informs local and national estimates of the prevalence of human trafficking.

Human trafficking victimizes the most vulnerable and is an affront to our shared expectation of liberty. Despite the harms of human-trafficking victimization, the anti-trafficking community has struggled to demonstrate the scope of the problem. In the introduction to this special issue, Raphael points out the lack of data has almost pushed the issue of human trafficking out of the public-policy debate. The UCR program provides a unique opportunity to systematically collect information about human trafficking when it is identified by the police. The integration of human trafficking into the UCR also serves to institutionalize the crime, clarifying that it is a real issue and not a passing fad or moral panic. As the research presented here illustrates, although integrating human-trafficking offenses into the UCR can be done, more work is needed to ensure the data reported by the police are complete and accurate. Doing so will surely take time and resources, but, as a society, there must be some collective agreement that human trafficking is a serious human rights, public-health, and criminal-justice issue that is worth the investment necessary for us to understand such a complex issue and to reduce the pervasiveness of these acts.

These case studies and accompanying recommendations demonstrate that it is premature for public-policy positions to rely upon existing data from the criminal-justice system. Numbers will

remain small for some years because law enforcement still lacks the tools and understanding to recognize cases under their very noses. Many prostitution cases are in fact trafficking cases and many domestic-violence assaults can be converted into trafficking cases. Therefore, it is important not to draw any conclusions about prevalence of human trafficking in the United States from current UCR reports. If the UCR are to fulfill their potential as a useful baseline to measure identified human-trafficking crimes, police departments must be given the guidance, resources, and tools to accurately identify and report these crimes. If reporting improves, UCR will be a very useful resource for determining prevalence, although lower than in actuality since most victims will probably not come to the attention to the police.

Notes

1. Maryland, Missouri, and Nevada reported adding human-trafficking offenses to their state summary collection program and Delaware, Michigan, Missouri, Ohio, Oregon, South Dakota, Tennessee, and Washington reported adding human-trafficking offenses to their state NIBRS collection.
2. The following states completed surveys: Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming. UCR managers *did not* complete the survey from 11 jurisdictions including 10 states (Alabama, Arkansas, California, Maryland, Massachusetts, Nebraska, Oklahoma, and West Virginia) and Washington, DC, Indiana and Mississippi do not have state UCR-reporting programs.
3. Despite multiple attempts, researchers were unsuccessful in arranging interviews with two subjects in Illinois—a member of the Chicago Police Department who investigates human trafficking and a representative of Madison County Sheriff's Department. We were unsuccessful in arranging interviews with a lieutenant with the Memphis Police Department tasked with overseeing human-trafficking investigations.
4. Compstat (COMPUter STATistics) is a data-driven management model.
5. The manual was amended in 2013 in response to Congress expanding the bias motivation definitions for hate crimes to include perceived sexual orientation or gender identity.

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