



Texas Human Trafficking Prevention Task Force:  
Fiscal Year 2015 Report of Annual Activities

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Office of the Attorney General

# **Texas Human Trafficking Prevention Task Force: Fiscal Year 2015 Report of Annual Activities**

House Bill 1 (84<sup>th</sup> Legislative Session) has tasked the Texas Human Trafficking Prevention Task Force (Task Force) with producing an annual report of Task Force activities. The report shall include information on collaborations with federal, state, and local partners, a statistical summary of human trafficking activities in the state, and recommendations to enhance efforts to prevent human trafficking. As such, this report has been developed to fulfil these requirements. Additionally, it also contains information on the background of the Task Force, prior deliverables, and recent legislative requirements.

## **Task Force Background**

The Task Force was established in 2009 through House Bill 4009 and is coordinated through the Office of the Attorney General (OAG). It is a collaborative effort between state agencies, local law enforcement entities, district attorneys, and non-profits to address human trafficking from multiple perspectives. Under Section 402.035, Texas Government Code, the OAG serves as the presiding officer of the Task Force and supervises its administration. There are approximately 50 member agencies on the Task Force. Legislative appropriations have never been made to the Task Force.

Pursuant to Government Code §402.035, the Task Force is required to collect data from certain agencies, provide training to certain professionals, and provide legislative recommendations to strengthen Texas' response to human trafficking. Task Force recommendations are included in a statutorily required report to the legislature which is to be submitted on December 1<sup>st</sup> of every even-numbered year.

Since 2010, the Task Force has made 58 recommendations to the legislature to address human trafficking. Those recommendations have included ways to prevent trafficking, protect victims, and prosecute offenders. Of these 58 recommendations, 53 have become law.

## **Prior Task Force Deliverables**

Since its creation, the Task Force has published several reports, manuals, and trainings. To date, three biennial reports to the Legislature have been published.

- *The Texas Human Trafficking Prevention Task Force Report (2014)*
- *The Texas Human Trafficking Prevention Task Force Report (2012)*
- *The Texas Human Trafficking Prevention Task Force Report (2011)*

Pursuant to House Bill 930 (82<sup>nd</sup> Legislative Session), the Task Force has completed a report on the extent to which human trafficking is associated with the operation of sexually oriented businesses, and the workplace or public health concerns that are created by the association of human trafficking and the operation of sexually oriented businesses.

- *The Texas Human Trafficking Prevention Task Force Report (2013) (AKA) Report to the Texas Legislature Sexually Oriented Businesses and Human Trafficking: Associations, Challenges, and Approaches*

The Task Force has also published two training manuals for professionals likely to interact with potential trafficking victims.

- *Introduction to Human Trafficking: A Guide for Texas Education Professionals* (July 2014)
- *Introduction to Human Trafficking: A Guide for Criminal Justice Professionals* (September 2013)

The Task Force has assisted in the development of 2 web-based trainings: one for education professionals, and one for the Department of Family and Protective Services (DFPS) staff. The trainings were developed pursuant to House Bill 1272 (83<sup>rd</sup> Legislative Session).

- *Texas Rise to the Challenge: An Introduction to Human Trafficking for Education Professionals* was published on the Texas Education Agency (TEA) website in October 2014.
- Training for DFPS was rolled out to DFPS staff on September 2, 2014.

## **Recent Legislative Requirements**

The 83<sup>rd</sup> Legislature mandated, through HB 1272, the Task Force to:

- Develop key indicators a person is a victim of human trafficking,
- Develop standardized curriculum for training medical and education professionals along with DFPS and Health and Human Services Commission (HHSC) personnel to identify and assist victims of human trafficking,
- Train medical and education professionals along with DFPS and HHSC personnel to identify and assist victims of human trafficking,
- Develop and conduct training for DFPS and HHSC personnel on methods for identifying children in foster care who may be at risk of becoming victims of human trafficking, and
- Develop a process for referring identified human trafficking victims and individuals at risk of becoming victims to appropriate services

As previously mentioned, materials related to education professionals and DFPS have been produced. The Task Force is currently working on developing training for HHSC and medical professionals.

The 84<sup>th</sup> Legislature also added new requirements to the Task Force.

- House Bill 188 directs the Task Force to develop recommendations that address the demand side of human trafficking, including forced labor and sex trafficking of minors. This bill also extended the Task Force to September 1, 2017.
- House bill 10, requires the Task Force to identify and report to the governor and legislature on laws, licensure requirements, or other regulations that can be passed at the state and local levels to curb trafficking using the Internet and in sexually oriented businesses.

## **State Agency Initiatives and Responses to Human Trafficking**

Outside of the previously mentioned deliverables, there have been several initiatives and programs developed by individual agencies to address human trafficking over the past several years. Many of those efforts are detailed in previous Task Force reports to the Legislature in 2011, 2012, and 2014. However, new initiatives and programs along with select continuing efforts are outlined below.

### Department of Family and Protective Services

- Texas was the second state in the nation to sign a Memorandum of Understanding with the National Center for Missing and Exploited Children (NCMEC), so that when any child goes missing from foster care, it would be immediately reported to NCMEC. This is in line with new federal child welfare mandates under House Resolution 4980 (113<sup>th</sup> Congress).
- Statewide Intake staff (child abuse hotline), the first point of contact for most calls to DFPS, met weekly for a year to discuss identification and handling of potential human trafficking intake calls.
- Additional reporting mechanisms were put into place and enacted on September 1, 2015, in the DFPS computer system to count human trafficking cases received by Intake staff. Efforts are also underway to make system reporting changes to track the number of DPFS foster care children who were trafficked. These changes to the computer system are scheduled to be completed by September, 2016.

### Health and Human Services Commission (HHSC)

- HHSC is Texas' sole point of contact with the Federal Office of Refugee Resettlement and its Unaccompanied Minor's program.
- Since the Task Force began in 2007, HHSC has been a member agency working to provide assistance to victims.
- The Office of Immigration and Refugee Affairs provides assistance to trafficking victims whose country of origin is not the United States.
- HHSC will continue to evaluate anti-trafficking resources throughout its agency and umbrella agencies.

### Department of Public Safety (DPS)

- All DPS troopers have received Interdiction for the Protection of Children (IPC) training to help identify children who may be victims of crime, especially trafficking.
- Funding for an additional 250 troopers was provided by the 84<sup>th</sup> Legislature. All will receive IPC training.
- All Criminal Investigations Division (CID) agents have received human trafficking training, and 40% have received advanced training which includes at least one agent at every duty station across the state. DPS is working to provide the advanced course to 90% of its CID agents by December of 2017.
- DPS also provides assistance to victims of trafficking through the efforts of Victim Services Counselors who are located around the state. Among the many services these counselors

provide are: assistance as cases work their way through the criminal justice system, crisis intervention, and assisting victims in filing for Crime Victims' Compensation.

#### Department of State Health Services (DSHS) (FY2014 – 2015)

- DSHS provided community presentations to more than 5,000 individuals in Region 1, which spans the Texas Panhandle and South Plains.
- Regional staff and coalition partners distributed outreach materials to more than 300 sites, including malls, schools, buses and bus stops, coffee shops, shelters, hospitals, clinics, and social service agencies in Region 1.
- DSHS staff provided presentations related to domestic minor sex trafficking at six statewide conferences, including 2 bi-national conferences.
- Regional staff conducted train-the-trainer programs for maternal and child health staff in all eight DSHS regions across Texas and for HIV/STD staff in the DSHS Central Office.
- DSHS established a human trafficking identification and response policy for use in regional DSHS clinics and by DSHS contracted health providers.

#### Office of the Attorney General

- The OAG continues to work with area coalitions and non-profits to increase awareness and enhance responses related to human trafficking.
- Pursuant to House Bill 11 (84<sup>th</sup> Legislative Session), the OAG is in the process of establishing a Transnational and Organized Crime Division to address matters related to border security and organized crime, including human trafficking.
- The OAG continues to prosecute human trafficking cases when local law enforcement and prosecutorial agencies request such assistance.
- The OAG has provided human trafficking training for approximately 2,000 people in 2015 including law enforcement, juvenile probation officers, private industry, district attorneys, and the general public.
- House Bill 10 (84<sup>th</sup> Legislative Session) amended the Crime Victims Compensation Act to allow the Crime Victims' Compensation (CVC) Program to waive the requirement to deny CVC applications in which the claimant or victim knowingly or willingly participated in the criminally injurious conduct giving rise to the application if that conduct was the result of trafficking of persons. It also allowed applications for compensation made by claimants or victims of trafficking of persons to not be denied based on if the victim or claimant was engaging in illegal behavior at the time the criminally injurious conduct occurred. Both of these changes were already part of CVC internal policies and administrative rules prior to the legislative change.

#### Office of Court Administration (OCA)

- Pursuant to House Bill 2455, OCA is the presiding officer of the Task Force to Promote Uniformity in Collection and Reporting of Information on Family Violence, Sexual Assault, Stalking, and Human Trafficking. OCA staff is identifying subject matter experts from the named agency members and will convene the Task Force to carry out the mandated duties.

- OCA continues to provide live trainings to judges and other criminal justice professionals as well as through webinars related to the reporting of protective orders to the Texas Crime Information Center, which will enhance protection of human trafficking victims.

#### Office of the Governor (OOG)

- The OOG provided a grant to the University of Texas at Austin (UT) for a human trafficking mapping project to help prevent exploitation and increase care for survivors by gathering comprehensive data from across the state. The Texas Slavery Mapping Project is a partnership between UT and Allies Against Slavery to gather information about human trafficking across the state, including cataloging services available to victims, and “mapping” several key regions of the state to allow for economic analysis on the cost of human trafficking.
- Pursuant to House Bills 10 and 1446 (84<sup>th</sup> Legislative Session), the Office of the Governor is establishing the Governor’s Programs on Child Sex Trafficking to help coordinate resources to prevent child sex trafficking, recover victims, place victims in suitable housing, and provide victims with a customized package of services to fit the victim’s immediate and long-term rehabilitation and treatment needs.

#### Office of the Secretary of State (SOS)

- The SOS has worked with the OAG and other Task Force partners to develop the Human Trafficking Prevention Business Partnership to engage participating corporations and other private entities in voluntary efforts to prevent and combat human trafficking pursuant to House Bill 2511 (84<sup>th</sup> Legislative Session).

#### Supreme Court of Texas Permanent Judicial Commission for Children, Youth and Families (Children’s Commission)

- The Children’s Commission is focused primarily on providing information to judges and attorneys responsible for child welfare cases to raise awareness of human trafficking as it impacts children involved with the child welfare system.
- In partnership with the Texas Center for the Judiciary, the Children’s Commission is working to fulfill the judicial training on human trafficking requirement under House Bill 10 (84<sup>th</sup> Legislative Session) for judges responsible for hearing child welfare cases.
- An updated Benchbook was drafted to include recent legislation passed regarding human trafficking, including updating judicial bench cards to include relevant language from that legislation.

#### Texas Alcoholic Beverage Commission (TABC)

- TABC law enforcement personnel are specifically trained on how to identify potential human trafficking victims.
- TABC conducts operations across the state to identify and recover victims who may be being trafficked at businesses which fall under the regulatory authority of TABC.

### Texas Department of Criminal Justice (TDCJ)

- TDCJ Victim Services Division provides statutorily-mandated services to victims and their families when the offender has been sentenced to TDCJ Correctional Institutions Division and is on parole/mandatory supervision. Mandated services include, but are not limited to:
  - Revising, distributing, and collecting statistics on the Victim Impact Statement form,
  - Operating the Victim Notification System, which provides registrants with notifications regarding the status of offenders, and
  - Providing oversight for victim-offender mediation.
- TDCJ also provides assistance related to extending protective orders after the offender has been released. These protective orders can provide trafficking victims with greater protection long after the victim has been recovered and begun the restorative process.

### Texas Department of Licensing and Regulation (TDLR)

- Members from TDLR, Field Operations Division have participated in IPC training conducted by DPS. The TDLR field employees conduct periodic, unscheduled, onsite inspections at various facilities throughout the state.

### Texas Education Agency (TEA)

- Ten of the 20 Education Service Centers have published the human trafficking training for educators that was developed by the Task Force and TEA.
- TEA continues to update the human trafficking training and maintain the related information hosted on its statewide website.
- Pursuant to House Bill 10 (84<sup>th</sup> Texas Legislature), TEA is working to implement changes to their policy governing the reports of child abuse and neglect to include reports related to human trafficking of a child.

### Texas Juvenile Justice Department (TJJD)

- TJJD is developing a human trafficking training for juvenile correctional officers pursuant to Senate Bill 1356 (83<sup>rd</sup> Legislative Session).
- Trafficking-related questions are asked to all youth at intake to identify potential victims.
- TJJD has co-hosted a statewide conference which consisted of multiple human trafficking sessions to raise awareness of the crime and its effects on victims.

### Texas Parks and Wildlife Department (TPWD)

- TPWD has been working in the border region to achieve many goals, one of which is to deny, disrupt, and/or capture persons who are involved in human trafficking.
- All TPWD Game Wardens receive the Texas Commission on Law Enforcement Human Trafficking Course after being commissioned and prior to graduating from the Game Warden Training Academy.
- Human trafficking arrests have occurred as a result of Game Wardens receiving human trafficking training.

### Texas Workforce Commission (TWC)

- TWC administers the Texas Child Labor Law, Chapter 51, Texas Labor Code, which serves to ensure that a child is not employed in an occupation or manner that is detrimental to the child's safety, health, or well-being. TWC investigates child labor complaints and conducts approximately 2,400 on-site compliance inspections of employers a year. All child labor investigators are trained in identifying and properly responding to any suspected human trafficking they might encounter.
- In October 2014, TWC's Child Labor Investigators completed a new training course on human trafficking utilizing a training developed by the Human Trafficking Prevention Task Force.
- TWC's 28 workforce development boards assist victims by utilizing available training and resources to help identify potential victims and take appropriate steps once identification has occurred, providing employment training services specifically tailored for victims of trafficking, and providing referrals to resources and service providers, particularly non-profit organizations that are specifically geared toward working with victims of trafficking.

## **Collaborations with Federal, State, and Local Partners**

All major Task Force deliverables have been the product of multi-agency collaborations, the most apparent of which have been the production of Task Force reports which have included legislative recommendations prior to each Legislative Session since 2011. As mentioned earlier, 53 of the Task Force's 58 recommendations have become law. These recommendations have been developed through the collaboration of Task Force members and passed into law by partners in the Legislature. These efforts have produced extensive changes to Texas law, increased the state's ability to address the challenges presented by human trafficking, and made Texas a national leader in the fight against human trafficking.

While the legislative changes have been significant, Task Force members have continued to collaborate on several other initiatives which have proven fruitful. Several of those efforts are listed below.

- Members of the OAG-led Task Force and DFPS worked to develop a human trafficking training for DFPS staff. DFPS began using the training on September 2, 2014, and as of September 15, 2015, have trained over 6,048 personnel.
- The Office of the Governor, since 2010, has provided a grant through its Criminal Justice Division to the OAG for the purposes of conducting training on human trafficking. As of August 31, 2015, this grant has allowed OAG personnel to train 7,856 law enforcement officers and 2,384 other individuals on how to identify human trafficking victims and to help better prepare law enforcement officers for investigating this crime.



- Law enforcement from across the state collaborate with partner agencies to identify potential trafficking victims and apprehend traffickers. Such collaborations include, but are not limited to law enforcement officers from DPS, OAG, TPWD, TABC, Federal Bureau of Investigations, United States Border Patrol, United States Coast Guard, Homeland Security Investigations and other local, state, and federal agencies.
- The Children’s Commission has extensive collaborative relationships with federal, state, and local partners related to child welfare. While those collaborations are not specific to human trafficking, these existing collaborations may be used to increase awareness of human trafficking, especially as it impacts children and youth involved in the child welfare system. Some of the collaborative partners of the Children’s Commission include but are not limited to:
  - the Administration of Children and Families,
  - DFPS,
  - OCA,
  - Texas Center for the Judiciary,
  - Texas CASA, Children’s Advocacy Centers of Texas, and
  - A number of district and other judges responsible for handling child welfare cases.
- TJJD is collaborating with county probation departments to develop a tool to be used to identify potential trafficking victims.
- The OCA will begin collaborating with Task Force members to fulfill the mandates of House Bill 2544. These efforts will help address one of the challenges related to human trafficking – collecting and analyzing available data.
- The OOG will begin collaborating with Task Force members to facilitate the requirements of House Bills 10 and 1446. Those efforts will help to better coordinate state resources in the prevention of trafficking and assistance to victims who have been identified and recovered.
- DFPS and DPS have been collaborating and will continue to collaborate on the referral of cases outside of DFPS' jurisdiction. Texas DFPS can only investigate cases in which the child’s guardian, family member, or household member is the potential offender. All other cases lie outside of their jurisdiction and are referred to law enforcement. DFPS is now referring human trafficking cases in which they do not have jurisdiction directly to DPS for follow-up.
- TEA is collaborating with local districts on training education professionals on human trafficking and how those professionals should respond as mandated by law.
- DFPS and DPS have trained 480 troopers on Interdiction for the Protection of Children (IPC), a program which teaches first responders to look for signs that a child may be being

abused or exploited, including commercial sexual exploitation of children. DFPS and the Austin Police Department staff have trained 1,050 Austin Police Department personnel on IPC.

- DSHS worked closely with the rape crisis centers in Lubbock and Amarillo to establish and/or serve on coalitions that provide opportunities for dialogue between local, state, and federal law enforcement agencies, health providers, DFPS staff, school personnel, and social service agencies and strengthen linkages and referral systems for dedicated and efficient responses to victim sightings and victim outcry.
- TDLR plans to coordinate with the OAG to provide further training for field staff in both the Enforcement and Field Operations Divisions.

### Statistical Summary of Human Trafficking Activities in Texas

The Task Force does not have statewide data collection capabilities. However, Task Force members do collect data that are relevant to their agencies. The Task Force is able to retrieve data from the Human Trafficking Reporting System (HTRS) which is operated by Northeastern University. HTRS is the only system which allows Department of Justice-funded human trafficking task forces and other approved law enforcement agencies to enter data on suspected human trafficking incidents. Additionally, the Federal Bureau of Investigation (FBI) Innocence Lost Initiative collects data from two Texas-based Innocence Lost task forces; one in Dallas and the other in Houston. Data from HTRS and Innocence Lost are presented below.

<b>Human Trafficking Reporting System</b>	
<b>January 1, 2007, to August 31, 2015</b>	
Human Trafficking-related Incidents	759
Reported Victims	644
Reported Child Victims	321
Suspects Arrested	223
Suspects Convicted	91
<b>Innocence Lost<sup>i</sup></b>	
	444
<b>Total Child Victims of Human Trafficking</b>	
Innocence Lost + HTRS Reported Child Victims	765

Under Article 60.02, Code of Criminal Procedure, the Texas Department of Public Safety is responsible for recording data and maintaining a data base for the computerized criminal history system for the state. The data base contains information regarding arrests, disposition, and other criminal history information maintained by DPS. From this system, some information can be gleaned related to human trafficking and compelling prostitution. The information provided is

based on arrests for these two crimes. The charts below provide data on the number of arrests and convictions for compelling prostitution and human trafficking. The data presented below are in fiscal years. It should be noted that cases from recent years, including 2015, may be ongoing, thus producing a relatively low number of convictions compared to prior years as of the date of this report.

Compelling Prostitution		
YEAR	ARRESTS	CONVICTIONS
2007	46	19
2008	41	10
2009	57	18
2010	54	19
2011	65	18
2012	68	13
2013	68	3
2014	85	24
2015	105	9

Human Trafficking		
YEAR	ARRESTS	CONVICTIONS
2007	34	5
2008	22	0
2009	10	7
2010	20	5
2011	34	5
2012	78	20
2013	104	26
2014	117	15
2015	96	2

### Recommendations to Enhance Efforts to Prevent Human Trafficking

Additional Task Force recommendations will be forthcoming in the next biennial report to the Legislature scheduled for publication in December 2016. However, in December 2014, the Task Force released its most [recent biennial report](#) to the Legislature, which contained 10 legislative recommendations to address human trafficking in Texas. During the 84<sup>th</sup> Legislative Session, those recommendations were included in [House Bill 10](#), the omnibus human trafficking bill, and were all passed into law.

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<sup>1</sup> In federal fiscal year 2014, 19 children were recovered under Innocence Lost Task Force Operations in Dallas, but 48 children were recovered by task force member agencies in the Dallas area in that same year. The larger number is reported within the 444 total. Additionally, Federal fiscal year 2015 are not yet available, and are therefore not included in the table.