

THE TEXAS
HUMAN TRAFFICKING
Prevention Task Force

REPORT 2019

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Texas Human Trafficking Prevention Task Force:
Fiscal Year 2019 Report of Annual Activities

December 2019
Office of the Attorney General

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Senate Bill 1 (85th Legislative Session) tasked the Texas Human Trafficking Prevention Task Force (Task Force) with producing an annual report of Task Force activities. The report must 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. HB 1 (86th Legislative Session) moved the reporting requirement beginning September 1, 2019, to every even-numbered year to align with Texas Government Code Section 402.035(g).

Task Force Background

In 2009, the 81st Legislature created the Texas Human Trafficking Prevention Task Force to respond to the growing human trafficking crisis and designated the attorney general as the presiding officer. The Task Force is entrusted to develop legislative recommendations to attack the crime and policies to protect victims.

The Task Force now contains over 50 member organizations, including state agencies, local law enforcement entities, district attorneys, and non-profits, serving as a multidisciplinary team aimed to collaborate and coordinate anti-human trafficking efforts across the local, state, and federal level. The result has been an expanded network of regional and local entities focused on identifying victims and directing them to needed services, educating the public to recognize human trafficking, and ensuring traffickers are prosecuted.

The Task Force is required under Texas Government Code §402.035 to collect data, provide training, report to the Legislature, and produce legislative recommendations that will enhance Texas's anti-trafficking efforts. Since 2010, the Task Force has made over eighty recommendations to the Legislature to address human trafficking. Of these eighty-four recommendations, seventy-six have become law. These legislative enhancements, along with specialized training, have equipped law enforcement and prosecutors with the tools needed to effectively pursue traffickers and bring justice for victims.

Texas Human Trafficking Prevention Task Force Restructure

As a state-wide integrative group working to identify victims and prosecute traffickers through proactive and reactive investigations, success requires strategic statewide coordination. Task Force members who attended the December 2018 meeting consistently expressed the desire for the Task Force to become reorganized as a communication hub. Drawing together the state and regional coalitions, the Task Force aims to provide direction, consistent messaging, sharing of best practices, and the opportunity for more participation.

To accomplish its communicative focus, the Task Force restructuring will include:

- Two meetings per year of legislatively mandated Task Force membership;
- Three meetings hosted by regional coalitions or task forces on adult sex, child sex, and labor trafficking. These meetings will feature speakers and trainings on the subject matter of the meeting, as well as the opportunity for open dialogue among participants. Individual coalitions and task forces may also decide to welcome community participation for all or portions of the meeting;
- One additional meeting during non-legislative years to discuss proposals for Task Force-sanctioned legislation for the upcoming session; and
- Task Force newsletters electronically published each year. The newsletters will contain:
 - Legislative updates;
 - Best practices as submitted by membership, regional task forces, and coalitions;
 - Criminal and civil cases within the state as submitted by membership, regional task forces and coalitions, law enforcement, or district attorneys;
 - Available trainings as submitted by membership, regional task forces, and coalitions;
 - Relevant studies and publications;
 - Office of the Governor updates;
 - Office of the Attorney General updates;
 - Human Trafficking Prevention Coordinating Council updates; and
 - Task Force awards (nominations to be submitted by membership, regional task forces, and coalitions – categories to be determined).

Human Trafficking Prevention Coordinating Council

While the Task Force pulls together state agencies, local law enforcement, and nonprofits to fight human trafficking, there has been an expressed need for more coordination and collaboration in spending appropriated funds most effectively and efficiently throughout the state.

Senate Bill 72 (86th Legislative Session) established the Human Trafficking Prevention Coordinating Council of agencies (Coordinating Council) to develop and implement a five-year strategic plan for preventing human trafficking in Texas. The Coordinating Council is a small group tasked with inventorying and evaluating all human trafficking prevention programs administered by the state agencies, higher education, and political subdivisions. Through this inventory, the Coordinating Council is responsible for coordinating and streamlining the prevention programs and state expenditures on human trafficking.

To collect an inventory of human trafficking prevention programs and services, the Coordinating Council is currently working on composing a statewide survey to identify and evaluate existing programs and services and pinpoint gaps in identification, investigation, prosecution, and services. That data will inform the structure and definition of the required strategic plan.

The Human Trafficking Prevention Coordinating Council is composed of the following members:

- (1) the governor or the governor's designee;
- (2) the Texas attorney general or the attorney general's designee;

- (3) the commissioner of the Department of Family and Protective Services or the commissioner's designee;
- (4) the public safety director of the Department of Public Safety of the State of Texas or the director's designee;
- (5) a representative from the Texas Workforce Commission;
- (6) a representative from the Texas Alcoholic Beverage Commission;
- (7) the Texas Parks and Wildlife Department;
- (8) the Texas Department of Licensing and Regulation; and
- (9) a representative from the Health and Human Services Commission (per the unanimous determination of the Task Force and the Coordinating Council).

Since its inception on September 1, 2019, the Coordinating Council has held two meetings and its next meeting is scheduled for December 11, 2019.

Previous Task Force Deliverables

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

Biennial and Annual Reports to the Legislature
<ul style="list-style-type: none"> • The Human Trafficking Prevention Task Force Report (2018) • Texas Human Trafficking Prevention Task Force: Fiscal Year 2017 Report of Annual Activities • The Texas Human Trafficking Prevention Task Force Report (2016) • Texas Human Trafficking Prevention Task Force: Fiscal Year 2015 Report of Annual Activities • 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)
Other Legislative Required Reports
<p>Pursuant to House Bill 1930 (82nd Legislative Session), the Task Force has completed a detailing the association between the operation of sexually oriented businesses and the workplace or public health concerns that are created.</p> <ul style="list-style-type: none"> • The Texas Human Trafficking Prevention Task Force Report (2013), also known as, <i>Report to the Texas Legislature Sexually Oriented Businesses and Human Trafficking: Associations, Challenges, and Approaches</i>
Training Manuals and Web-Based Trainings
<ul style="list-style-type: none"> • Introduction to Human Trafficking: A Guide for Texas Education Professionals (July 2014) • Introduction to Human Trafficking: A Guide for Criminal Justice Professionals (September 2013) <p>The Task Force assisted in the development of two web-based trainings pursuant to House Bill 1272 (83rd Legislative Session).</p> <ul style="list-style-type: none"> • 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 Department of Family and Protective Services (DFPS) staff was rolled out September 2, 2014.

Initiatives and Collaborations

By definition, the Task Force is a collaborative effort. The most visible collaborative efforts are the recommendations developed and published in previous reports to the Texas Legislature in 2011, 2012, 2014, 2016, and 2018. The subsequent legislative changes have been significant in Texas's fight against human trafficking. However, many other initiatives and lesser-known collaborations take place regularly across the state and are integral to Texas's continued response to human trafficking. Many such efforts are outlined below. Unless otherwise noted, the efforts are for Fiscal Year 2019.

Health and Human Services Commission (HHSC)
<ul style="list-style-type: none">• House Bill 2059 (86R): Requires the Texas Health and Human Services Commission (HHSC) to approve training courses on human trafficking, including at least one that is free of charge, post the list of approved trainings on the HHSC website, and update the list of approved trainings as necessary. The completion of an approved training course is a condition for registration, permit, or license renewal for certain health care practitioners as of September 1, 2020. No funds were appropriated for this bill. HHSC's Texas Human Trafficking Resource Center (THTRC) developed an online training entitled "HEART" which will be one of the approved trainings available to all practitioners at no cost.• In collaboration with HHSC's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Texas Medical Association, UT Health, Baylor College of Medicine, National Association of Pediatric Nurse Practitioners, HEAL Trafficking and Arrowhead Films, revisions are being made to the HEART training to accommodate the expanded audience this bill creates. THTRC is developing training standards and review and approval processes for external trainings submitted for HHSC approval. HHSC is also developing TAC rules to fully implement the bill and its provisions.• Senate Bill 20 (86R): Requires HHSC to designate a health-related institution of higher education to operate a treatment program for victims of child sex trafficking and to create a matching grant program for the establishment of a municipal sex trafficking prevention needs assessment. No funds were appropriated for this bill. Funds will need to be identified for both the treatment program and needs assessment grant program.• Senate Bill 72 (86R): As written does not include HHSC as a member of the Human Trafficking Prevention Coordinating Council. However, the council recently voted to add HHSC to its member-agency composition and an HHSC representative began attending meetings as of October 2019. The council will develop a five-year strategic plan for preventing human trafficking in this state.

Office of the Attorney General (OAG)

The Human Trafficking and Transnational/Organized Crime (HTTOC) section of the Office of the Attorney General approaches the issue of human trafficking holistically, working on cases involving sex and labor trafficking, child and adult victims, and international and domestic trafficking. The team includes prosecutors, civil attorneys, investigators, analysts, special projects managers, and a victim advocate. Eradicating human trafficking in the state of Texas requires educating and mobilizing the public as well as spurring effective investigation and prosecution. The activities described below reflect a broad approach and dedication to tackling the crime from as many angles as possible.

- **Human Trafficking Prevention Coordinating Council**
 - The 86th Legislature created the Human Trafficking Prevention Coordinating Council and designated the attorney general as the chair of this new body. The Coordinating Council will develop and implement a five-year strategic plan for preventing human trafficking in the state of Texas. This strategic plan will conduct an inventory of the human trafficking prevention programs and services in Texas and develop a plan to coordinate state funds used to prevent human trafficking. This plan will be delivered to the Legislature as well as an annual progress report.
- **Human Trafficking Database**
 - The 86th Legislature created a new mandate for law enforcement agencies and district and county attorney offices to report data relating to human trafficking, prostitution investigations, and prosecutions to the OAG. The OAG was designated as having rule-making authority over the new database and was given authority to enter into a contract with a university partner for data analysis.
- **Human Trafficking Prevention Task Force**
 - The attorney general serves as the chair of the Human Trafficking Prevention Task Force. HTTOC team members assist the Task Force in hosting meetings, coordinating content, and assisting in the fulfillment of Task Force legislative mandates. With the Task Force, HTTOC helps develop legislative recommendations and provides resource witness testimony.
 - 86th Legislative Session Accomplishments:
 - Expanding the trafficking-specific definition of coercion to apply to adult and child labor trafficking cases and sex trafficking of adults.
 - Adding Continuous Trafficking, Penal Code Sec. 20A.3, to the list of stackable offenses for which a judge can order a defendant to serve consecutive sentences.
 - Raising penalties for sex buyers from a Class B misdemeanor to a Class A misdemeanor for a first offense and to a state jail felony for a second offense.
 - Requiring a seller engaged in prostitution to receive mandatory probation for their first misdemeanor and first state jail felony prostitution offense.
 - Creating two new offenses aimed at online providers of prostitution: (1) online promotion of prostitution; and (2) aggravated online promotion of prostitution.
 - Broadening and simplifying nondisclosures for trafficking victims by allowing for the consolidation of multiple nondisclosure applications in a single court.
- **Prosecution**
 - As of FY19, HTTOC has resolved a total of 19 criminal cases related to human trafficking through trials and pleas, resulting in 441 years of prison time for traffickers. HTTOC has multiple pending criminal and civil cases related to human trafficking. HTTOC has also provided over 185 assists to law enforcement, state and local agencies, district attorneys, and members of the public and over 95 direct assists to victims of trafficking related crimes.
- **Civil Litigation**
 - HTTOC has recently established a civil litigation section to work on civil cases related to human trafficking, including two civil attorneys and one civil investigator. The civil section will utilize the Civil Racketeering Related to Trafficking of Persons statute and the new Texas-specific SESTA/FOSTA statutes to pursue civil cases against traffickers and those benefitting from trafficking.
- **Training**
 - To date, HTTOC has trained more than 25,000 people at more than 300 in-person trainings. In FY19, HTTOC conducted 76 trainings reaching over 6,000 people. This includes the first Citywide Immersive

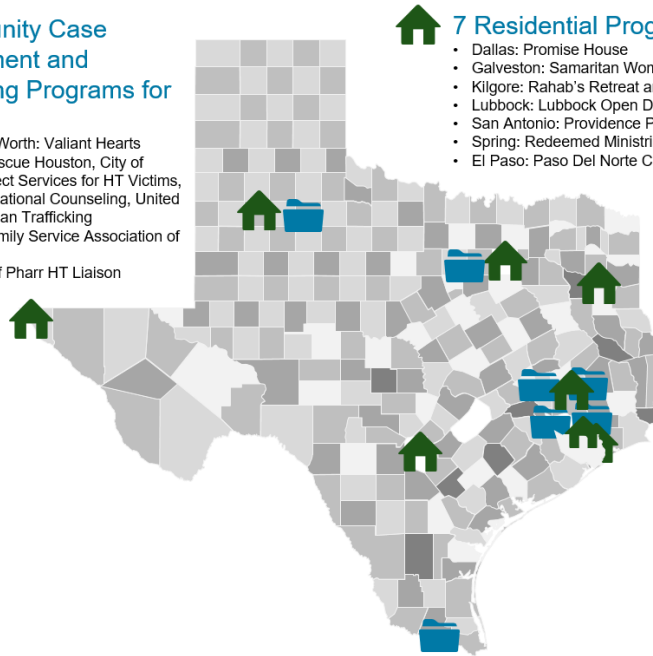
Specialized Services to Support Healing for Adults

7 Community Case Management and Counseling Programs for Adults:

- Dallas, Fort Worth: Valiant Hearts
- Houston: Rescue Houston, City of Houston Direct Services for HT Victims, YMCA International Counseling, United Against Human Trafficking
- Lubbock: Family Service Association of Lubbock
- Pharr: City of Pharr HT Liaison

7 Residential Programs for Adults:

- Dallas: Promise House
- Galveston: Samaritan Women at the Well
- Kilgore: Rahab's Retreat and Ranch
- Lubbock: Lubbock Open Door
- San Antonio: Providence Place
- Spring: Redeemed Ministries
- El Paso: Paso Del Norte Center of Hope



- CSTT efforts to bring justice for survivors in FY19 include support for:
 - Specialized investigators, prosecutors, and support positions in Dallas County, Harris County, and the Office of the Attorney General, where CSTT is also funding dedicated personnel to investigate sextortion cases.
 - Project 180, a pilot project in Harris County that diverts young adults arrested for prostitution to services; identifies trafficking cases that were mistaken for prostitution cases; and increases investigations and prosecutions of exploiters. Phase 1 of the pilot ended on 9/30/19, and an evaluation of the program indicates that the project is meeting its objectives: the project significantly reduced criminal sanctions for participants (including through case dismissals and avoidance of jail time, probation, or fines); the majority of participants indicated an intent to engage in community-based services; and data suggests that the pilot has resulted in more human trafficking charges brought against alleged traffickers with fewer dismissals of trafficking charges.
 - In FY19, CSTT released a funding announcement and accepted applications from law enforcement seeking to provide a targeted criminal justice response to trafficking. Beginning October 1, 2019, Harris County, Jefferson County, and Montgomery County received awards as a result of that solicitation.
- In FY 2019, CSTT also worked to build knowledge and expertise in Texas on the issue of human trafficking.
 - CSTT developed, in partnership with the Meadows Mental Health Policy Institute, a [Roadmap for Texas Communities to Address Child Sex Trafficking](#). The Roadmap provides research, emerging practices, lessons learned, and resources for communities to effectively engage in the fight against child sex trafficking and align themselves with statewide strategies and goals.
 - CSTT funded research by the University of Texas on exploited youth in Texas, which resulted in a report called [“To the Public, Nothing Was Wrong with Me”: Life Experiences of Minors and Youth in Texas at Risk for Commercial Exploitation](#).
 - CSTT started a monthly webinar series for stakeholders and provides updated summaries of and links to relevant research, along with a variety of additional resources, on its website: <https://gov.texas.gov/cstt>.

Texas Alcoholic Beverage Commission (TABC)

- **Legislation:**
 - **House Bill 1545-** TABC Sunset Bill, establishes prevention of human trafficking at licensed and permitted locations as a TABC duty and priority.
 - Section 1.08- PREVENTION OF HUMAN TRAFFICKING. It is the intent of the legislature to prevent human trafficking at all permitted and licensed premises, and all provisions of this code shall be liberally construed to carry out this intent, and it shall be a duty and priority of the commission to adhere to a zero tolerance policy of preventing human trafficking and related practices.
 - **Senate Bill 72-** Created the Human Trafficking Prevention Coordinating Council including the participation of TABC.
 - **House Bill 3800-** Establishes required reporting of human trafficking cases by certain law enforcement entities and by prosecutors. This is recognized in the efforts of the human trafficking prevention coordinating council.
- **Appropriations:** TABC received a biennial total of \$5,231,908 and 29 FTE's for Human Trafficking Prevention. Currently the funds have been utilized for salaries; one Director, 5 criminal intelligence analysts and 23 investigators. We are also in the process of procuring undercover vehicles as well as computer equipment and software.
- **Special Investigations and Financial Crimes Unit:** Focuses on organized criminal activity that has a nexus to the alcoholic beverage industry. Investigates allegations of Human Trafficking and related offenses, such as narcotics sales, prostitution, drink solicitation and money laundering. Federal, state and local law enforcement task forces have created a network of intelligence sharing and force multiplying opportunities.
- **Joint Task Forces (include but are not limited to):**
 - The Department of Homeland Security Investigations (HSI)
 - Border Enforcement Security Task Force, the Federal Bureau of Investigations (FBI)
 - Safe Streets Task Force, the Texas Anti-Gang centers (TAG)
 - Houston Police Department's Human Trafficking Rescue Alliance (HTRA)
- Since July of 2019, TABC Special Investigations and Financial Crimes Unit has participated in or led several operations that investigated allegations of human trafficking. The investigations have resulted in 31 victim outcries and referrals to victim services for victims of human trafficking. Four of these operations involved locations that have alcohol permits, 3 of which had those permits cancelled for cause immediately. Having a permit cancelled for cause results in that location being ineligible for another permit to sell alcohol for 1 year and the owner cannot have a permit to sell alcohol for 3 years. This is a powerful tool in our fight to eradicate human trafficking from the alcoholic beverage industry and Texas.

Texas Department of Family and Protective Services (DFPS)

- The Human Trafficking and Child Exploitation (HTCE) Division was initially established in June 2017 through the DFPS Human Trafficking (HT) Initiative, a grant funded by the Office of the Texas Governor (OOG) which concluded at the end of Fiscal Year 2019. The 86th Texas Legislature Regular Session appropriated 1.2 million dollars to permanently integrate the division into the DFPS infrastructure. This funding provides for staffing with the division with a Director and four Program Specialists positions to continue and expand prevention efforts.
- For the children and youth served by DFPS, the DFPS HTCE division strives to:
 - Strengthen continued compliance with all federal and state human trafficking mandates;
 - Develop best practices in the prevention of trafficking; and
 - Improve DFPS capacity to identify, report, recover and support victims of trafficking in their restoration journey.
- The HTCE Division coordinates across all agency programs: Statewide Intake, Child Protective Investigations which includes Special Investigations, and Child Protective Services to improve outcomes for victims of trafficking. The division also builds relationships with law enforcement and community leaders to develop and expand services for children who are at risk or victims of trafficking.

- FY 2019 accomplishments include:
 - An additional 7159 DFPS staff completed the Office of the Texas Attorney General’s Be the One: In the Fight Against Human Trafficking, a mandatory human trafficking awareness training, bringing the total to 14,159 staff trained.
 - Kicked off Light the Way to Freedom to End Human Trafficking: Sunday Prayers, an annual awareness campaign, to unite communities of faith during Human Trafficking Awareness Month. Also, developed Five Ways Faith-Based Organizations Can Help in the Fight against Human Trafficking flier.
 - The DFPS Human Trafficking Response Protocol and use of Commercial Sexual Exploitation-Identification Tool was rolled out in Bexar, Dallas, Harris, Tarrant and Travis counties.
 - Hosted the Light the Way to Freedom to End Human Trafficking 2019 Summit, a statewide conference for DFPS staff and key partners and stakeholders who help fight against trafficking for the children and youth DFPS serves. More than 850 people from across the state participated to collaborate and help increase awareness, prevention, identification, and support survivor restoration and justice.
 - Entered into Memorandums of Understanding with six Human Trafficking Advocate programs to provide Child Sex Trafficking Advocates for victims of sex trafficking in 67 Texas counties.
 - Key State agency leaders were invited to train on and develop an understanding of Guiding Principles for Agencies Serving Survivors of Human Trafficking. This training offered attendees an opportunity to evaluate their own programs using the principles.
 - Texas Network of Youth Services (TNOYS) and DFPS co-hosted training sessions “Building Alliances with Youth to Prevent Runaway and Other Challenging Behaviors” in Houston, Dallas, and San Antonio. Young adults alongside DFPS staff (including HTCE) and other youth services professionals participated. Each session reached capacity with over 300 in total attendance.
 - HTCE is a member of the Administration for Children and Families (ACF) Region VI Human Trafficking Work Group. The Work Group builds strong alliances amongst ACF Region VI states and optimize collaboration to effectively and efficiently conserve resources and minimize duplication of efforts amongst partners, as it relates to individuals up to the age 24 who are at risk or are victims of HT.

Texas Department of Licensing and Regulation (TDLR)

- During the 86th Legislative Session, the Texas Legislature passed the following bills related to human trafficking prevention that impact TDLR’s regulation of several of its licensee population groups:
 - HB 2747: Requiring massage establishments and massage schools to display a Texas Commission of Licensing and Regulation approved sign in English, Spanish, Korean, and Mandarin that contains information concerning services and assistance available to victims of human trafficking victims. Each sign must include a toll-free number of a nationally recognized referral hotline for victims of human trafficking.
 - HB 2059: Requiring human trafficking prevention training as a requirement for license renewal for certain health care practitioners and certain employees of health care facilities (TDLR Title 3 Health Professions including Licensed Athletic Trainers, Dietitians, Dyslexia Therapists, Hearing Instrument Fitters and Dispensers, Massage Therapy, Podiatry, Speech-Language Pathologists and Audiologists).
 - SB 72: Creating a Human Trafficking Prevention Coordinating Council, including the Department as a member of the Council, that is tasked with developing and implementing a five-year strategic plan to prevent human trafficking in the state.
- Funding the Department received from the 86th Legislature:
 - Out of funds appropriated above for the Department of Licensing and Regulation \$763,726 in General Revenue and 12.0 full-time equivalent (FTE) positions for Fiscal Year 2020, and \$756,152 in General Revenue and 12.0 FTE for Fiscal Year 2021 shall be used for inspections and enforcement actions by the Human Trafficking Team.
 - The Department will utilize the funds to hire, support, educate and train FTEs for its Human Trafficking Team. The Department’s Anti-Trafficking Unit will conduct research, gather analytics and

perform inspections that will serve as the evidentiary foundation for Department enforcement action against traffickers found to be acting within the Department’s regulated industries. The Department is currently in the hiring process to fill these positions.

Texas Department of Public Safety (DPS)

- The Department of Public Safety was appropriated \$13,042,438 and 68.4 Full-time Equivalent (FTE) positions in fiscal year 2020, and \$7,775,086 and 68.4 FTEs in fiscal year 2021 in Strategy A.1.1, Organized Crime, and \$3,754,575 and 47.0 FTEs in fiscal year 2020, and \$3,278,035 and 47.0 FTEs in fiscal year 2021 in Strategy A.2.1, Intelligence. (*General Appropriations Act (2020-2021), Department of Public Safety, Page V-57, Rider #50 to assist with Human Trafficking Prevention and Enforcement*).
- **Allocation of Funds:**
 - \$15,817,524 in the biennium for CID Texas Anti-Gang Squads and 47 FTE positions
 - \$7,032,610 in the biennium for Human and Child Sex Trafficking Investigative Squads; and 47 FTE positions
 - \$5,000,000 in the biennium for Regional Human Trafficking Investigative Squads and 21.4 FTE positions
- The Criminal Investigations Division (CID) was allocated funding for a total of 51 FTEs (44 Commissioned and 07 Non-Commissioned). CID Special Agents are assigned to work Human Trafficking Investigations throughout the state. There are currently Human Trafficking Teams in the North Texas Region, the Southeast Texas Region, and the West Texas Region. The Northwest Texas Region has DPS Special Agents assigned to a Human Trafficking Task Force with a local police department. The Central Texas region is currently in communication with a federal partner in hopes of establishing a Human Trafficking Task Force. The South Texas Region currently conducts Human Trafficking investigations with our federal and local partners. With this funding, CID is utilizing the additional FTEs to augment investigative resources throughout the state to address human trafficking and illegal gang activity. As of this date interview boards have been conducted in six of the seven regions, with the seventh promotional board being conducted the second week of December. The number of new special agent FTEs assigned to each region are as follows:

Regions	Total
<i>North Texas</i>	7
<i>Southeast Texas</i>	6
<i>South Texas</i>	7
<i>West Texas</i>	7
<i>Northwest Texas</i>	6
<i>Central Texas</i>	7
<i>Capitol</i>	4

- Intelligence Counter-Terrorism Division (ICT) was allocated funding for a total of 40 FTEs (Non-Commission - Crime Analyst). With this funding, the ICT has assigned over 40 non-commissioned professional analysts on staff to address human trafficking and anti-gang activities of the department and this State.
- The remaining funding and FTEs were allocated to indirect positions such as the Information Technology Division and Cyber Security; and, as directed by Rider 50 Section C.
- \$4,950,011 in Fiscal Year 2020 and \$4,950,011 in Fiscal Year 2021 from the appropriated funds to Strategy A.1.1, Organized Crime were allocated to the Dedicated Sexual Assault Program Account No. 5010 for human trafficking enforcement.

Texas Parks and Wildlife Department (TPWD)

- **Legislative Impact / Legislative Funding:**
 - TPWD is a participating member of the state task force designed to prevent human trafficking and has collaborated with state, local and federal partners for training, enforcement and information/intelligence sharing. The impact to the agency is funding related based on cost associated with training and enforcement programs.
 - TPWD did not receive legislative funding related to the prevention, enforcement or training for human trafficking.
- **Training:**
 - GWTC has been training cadets in a Human Trafficking courses since 2013.
 - Since 2011, 450 Game Wardens and Park Police Officers have taken the TCOLE Courses 3720 Human Trafficking or 6050 Advanced Human Trafficking.
 - Since September 2018, 134 Game Wardens have taken the Interdiction for the Protection of Children course.
 - The Game Warden Training Center is mirroring the TXDPS Academy and providing the Interdiction for the Protection of Children course for all academy class. The Game Warden Training Center is also mandating the IPC course as part of the Field Training Program for all new officers.
- **TPWD Collaborative Efforts:**
 - TPWD Law Enforcement Division Game Wardens and State Park Police Officers have documented over 25 cases with a human trafficking nexus since January 2019. These cases are referred to the appropriate agency and information is shared with DPS for tracking and dissemination purposes.
- **Example of TPWD assistance:**
 - Customs and Border Protection have made several arrests for human smuggling activity on Padre Island National Seashore. The smuggling event cycle consists of the following: 1.) people are smuggled across the Texas/Mexico border through the Rio Grande River, 2.) people are transported by vehicle to the Port Mansfield Jetties (south-side) through South Padre Island, 3.) people are floated across the Port Mansfield Jetties channel and unto Padre Island National Seashore, 4.) people are picked up by vehicle and taken to Corpus Christi (circumventing the Highway 77 BP checkpoint).
 - Game Warden Carmen Rickel was asked to testify (11/19) before a Federal Judge as a witness and at the request of the Assistant US Attorney who was seeking to enhance the human smuggling charges. Carmen was able to testify to the dangers of swimming across the Port Mansfield Channel due to hazards such as currents, water depths, and channel width. The Federal Judge found Carmen's statements to be a good testimony of the dangers smugglers exposed civilians to and therefore approved the enhancement of the federal smuggling charges filed by BP.

Texas Workforce Commission (TWC)

- April 2018: At the agency's quarterly forum, TWC partnered with Office of the Attorney General's to deliver Be the One in the Fight Against Human Trafficking. Learning objectives included how to prevent, recognize, and report human trafficking, how to obtain a video training tool to train your organization's members and how the Texas workforce system can assist victims of human trafficking.
- June 2018: TWC issued [WD Letter 07-18: Human Trafficking and the Role of Local Workforce Development Board](#) to provide Local Workforce Development Boards (Boards) with information, guidance, and resources on human trafficking and on the Boards' role in identifying and assisting human trafficking victims.
- December 2018: TWC accepted Governor Abbott's challenge to Texas state agencies to join the fight against human trafficking. All TWC staff were asked to view the Be the One video.
- October 2019: TWC attended Texas Businesses Against Trafficking (TBAT) Partnership Forum.
- During FY18, six well-received trainings were held by an average of 50 local workforce staff in each session, including the MSFW outreach workers who are trained on how to identify potential human trafficking victims.
- September 2019: TWC applied and was approved for continued inclusion in the National Human Trafficking Hotline Referral Directory.

Statistical Summary of Human Trafficking Activities in Texas

Capturing accurate data on human trafficking has been a continuing struggle for law enforcement agencies and other organizations for years. In the December 2016 report by the University of Texas at Austin, School of Social Work, Institute on Domestic Violence and Sexual Violence, *Human Trafficking by the Numbers: The Initial Benchmark of Prevalence and Economic Impact for Texas*, researchers provided a prevalence and economic estimation of human trafficking across the state. According to the report, in Texas it is estimated “there are approximately 79,000 minor and youth victims of sex trafficking” and “234,000 workers who are victims of labor trafficking.”¹ Minor and youth sex trafficking has an estimated economic impact to the state of nearly \$6.6 billion while labor trafficking victims are exploited at an annual cost of almost \$600 million.²

Under Article 60.02, Code of Criminal Procedure, the Texas Department of Public Safety (DPS) is responsible for recording data and maintaining a database for the computerized criminal history system for the state. This database 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 charts below provide data on the number of arrests and convictions for compelling prostitution and human trafficking. The data are in fiscal years except for 2007, which covers only January 1, 2007, (the creation of the Task Force) through August 31, 2007. Cases from recent years, especially 2019, may be ongoing, thus producing a relatively lower number of convictions compared to prior years as of the date of this report.

Compelling Prostitution		
Year	Arrests	Convictions
2007	44	22
2008	41	9
2009	57	17
2010	54	21
2011	66	11
2012	63	23
2013	77	20
2014	126	32
2015	97	45
2016	140	34
2017	141	31
2018	106	43
2019	100	26

Human Trafficking		
Year	Arrests	Convictions
2007	34	12
2008	22	6
2009	10	7
2010	20	5
2011	34	6
2012	74	11
2013	87	13
2014	97	27
2015	98	21
2016	141	53
2017	128	42
2018	187	63
2019	155	46

¹ Busch-Armendariz, N.B., Nale, N.L., Kammer-Kerwick, M., Kellison, B., Torres, M.I.M., Cook Heffron, L., Nehme, J. (2016). *Human Trafficking by the Numbers: The Initial Benchmark of Prevalence and Economic Impact for Texas*. Austin, TX: Institute on Domestic Violence & Sexual Assault, The University of Texas at Austin, p. 13.

² *Id.*

Recommendations to Enhance Efforts to Prevent Human Trafficking

During the 86th Legislature, several bills related to human trafficking were passed into law. Senate Bill 20, the omnibus human trafficking bill, contained Task Force recommendations as outlined by the Task Force’s 2018 Report to the Legislature. Those recommendations were the product of the collaborative efforts of state and local government agencies and nongovernmental partners from around the state. Prior to their publication in the report to the Legislature, each of the recommendations was unanimously approved by the Task Force membership in 2018.

The Task Force made the following legislative recommendations for the 86th Legislature, which were included in either the omnibus human trafficking bill or other legislation:

Proposal	Statute Affected	Background	Legislative Outcome	
Massage Therapy Occupations Code Amendments				
1	Allow TDLR to conduct more comprehensive criminal background checks of massage therapy licensees	Massage Therapy Occupations Code Chapter 455	Amend the statute to Texas Department of Licensing and Regulation (TDLR) to conduct fingerprint background checks for both new applicants and existing massage therapists, massage instructors, massage schools, and massage establishment owners. Individuals with criminal histories will move from state to state to avoid detection. By performing fingerprint background checks TDLR will be able to perform a more comprehensive background check on all applicants and licensees.	Passed
2	Require posting of human trafficking signs in licensed massage schools.	Massage Therapy Occupations Code Chapter 455	Amend the statute to require posting of human trafficking awareness signs in licensed massage schools. Human traffickers use massage therapy as a means to conduct criminal activity. By requiring establishments to post informational signs regarding human trafficking it brings additional awareness to the issue and works to combat modern day slavery.	Passed
3	Add tools to identify fraudulent schools and students at massage therapy schools	Massage Therapy Occupations Code Chapter 455	Amend the statute to allow TDLR to issue student permits, standardize school reporting of hours, and determine examination eligibility. This change will provide TDLR with additional tools to detect fraudulent students and schools. By aligning this statute with the current successful practices used in the Barbering and Cosmetology programs, TDLR will be able to identify and track the progress of students and prevent fraud and abuse in the massage therapy profession.	Passed
4	Remove the five-year “sit out” period for massage therapy licensees	Massage Therapy Occupations Code Chapter 455	Amend the statute to remove the five-year “sit out” period for a licensee who has any violation of the Massage Therapy statute, which would apply to even the most minor violation to provide TDLR with analysis of criminal history of licensee. Statute does not allow for reasonable analysis of the criminal	Passed

			history of a licensee who has even the most minor violations of the Massage Therapy statute. The change would allow TDLR to administer the Massage Therapy program similarly to all other programs at TDLR, which provide for more streamlined evaluations and discretion while still ensuring that the agency can act quickly.	
5	Provide TDLR with authority to act in instances of sexual violations by massage therapy licensees	Massage Therapy Occupations Code Chapter 455	Clarify that Section 455.251(b)(1) is an operation of law provision that requires the agency to expeditiously revoke a license for those who have been convicted of sexual offenses. Provide TDLR with clear authority to act in instances of sexual violations by licensees. The change would allow TDLR to administer the Massage Therapy program similarly to all other programs at TDLR, which provide for more streamlined evaluations and discretion while still ensuring that the agency can act quickly.	Passed
6	Streamline TDLR enforcement provisions for massage therapy licensees	Massage Therapy Occupations Code Chapter 455	Amend the statute to bring the current enforcement provisions for the Massage Therapy program in line with other TDLR programs. Streamlines enforcement provisions across all programs at TDLR. The change would allow TDLR to administer the Massage Therapy program similarly to all other programs at TDLR, which provide for more streamlined evaluations and discretion while still ensuring that the agency can act quickly.	Passed
Enhancing Penalties and Increasing Investigative and Prosecutorial tools				
7	Provide a Rape Shield Law for human trafficking and child sexual abuse	Add Code of Criminal Procedure Art. 38.51	This new provision limits the defense's ability to make the victim's unrelated prior sexual history the issue in the defendant's current case. The proposed provision adds human trafficking and child sexual abuse, such as sexual assault of a child, indecency with a child, etc., to the list of protected offenses.	Did not pass
8	Include adult sex trafficking and adult sex crimes in list of offenses where evidence of uncharged crimes is allowable	Code of Criminal Procedure Art. 38.37 Section 1	38.37 Sec. 1 currently allows prosecutors to offer evidence of uncharged crimes committed by the named defendant against the named victim in child trafficking, child physical and child sexual abuse cases that go to show the relationship between the defendant and the victim or the state of mind of the defendant or the victim. The proposed changes will add the adult parallels to the child crimes that are already covered by 38.37 Sec. 1 due to the similar nature of those crimes and the relevance of the uncharged conduct between the parties to the charged matter.	Did not pass
9	Effectuate federal provisions from FOSTA-SESTA at the state level	NEW Penal Code provision	The April amendments to the Federal Communications Decency Act, with passage of FOSTA (Allow States and Victims to Fight Online Sex Trafficking Act) and SESTA (Stop Enabling Sex Traffickers Act), allow states to tackle sex trafficking on websites like Backpage where websites are	Passed

			promoting prostitution. Texas needs a new penal code section that mirrors the federal provision to allow us to pursue online conduct at the state level.	
10	Include continuous human trafficking under stackable offenses	Texas Penal Code Section 3.03(a) 5	Currently the provision allows for stacking offenses for human trafficking under 20A.02 and compelling prostitution under 43.05 even when tried in a single indictment in single proceeding. Continuous human trafficking under 20A.03 is not included in the offenses that allow stacking.	Passed
Human Trafficking Statute Clean-up				
11	Make definition of "coercion" found in 20A.02(a-1) applicable to adult and child labor trafficking	Penal Code Section 20A.02(a-1)	Currently the provision only applies adult sex trafficking under 20A.02(3). This would allow the provision to apply to adult and child labor trafficking under 20A.02.	Passed
Commercial Property				
12	Create a new process to allow commercial lessees to void leases if the lessor also leases to an unlicensed massage establishment within the same commercial vicinity.	Chapter 93, Texas Property Code	Illicit massage businesses (IMBs) are fronts for prostitution and sex trafficking. Because they are often cash-only businesses, they are also magnets for burglary and armed robbery. Over 35,000 Texas school children attend a school that is within 1000 feet of an IMB. Most IMBs occupy leased commercial space and many are adjacent to stores and restaurants frequented by families. Some are even in the same shopping centers or strip malls as day cares. These legitimate businesses need the ability void their leases if the person or entity leasing to them also leases to an IMB within the same strip mall, mall, shopping center or office building for their protection and the safety of their customers.	Did not pass
Victim Protections				
13	Streamline the process and extend the statute of limitations for certain victims of human trafficking seeking orders of nondisclosure	Government Code, Chapter 411, Section 411.0728	These changes will streamline the process for human trafficking victims to request a nondisclosure of criminal history record information on the grounds that the person committed the offense as a victim of trafficking of persons. The changes will extend the statute of limitations, provide for consolidation of charges and include a form to petition the court without having to hire counsel.	Passed
14	Require mandatory community supervision provisions for sellers and increase penalty for first time buyers.	Multiple	The goal of these changes is two-fold: to decrease demand and to direct individuals at high risk of human trafficking to services. The changes will amend 43.02(c-1) to make 1 st time purchasers of prostitution a Class A misdemeanor and 2 nd time buyers a state jail felony, and 43.02 (c) to make 1 st misdemeanor and 1 st felony sellers of prostitution mandatory community supervision offenses and to require participation in commercially sexually exploited persons court program if one exists in area.	Passed

			<p>The changes are designed to:</p> <ol style="list-style-type: none"> 1. Directly address demand by increasing penalties for buyers 2. Remove sellers from jail/prison and give them multiple opportunities to access victim services 3. Direct desired population to access commercially sexually exploited persons court programs where they will be given information about the non-disclosure process 	
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Additional Task Force recommendations will be forthcoming in the next biennial report to the Legislature scheduled for publication in December 2020.

Conclusion

Since the Texas Human Trafficking Prevention Task Force was created in 2009, Texas has taken monumental steps towards fighting for human dignity in the state of Texas. In Fiscal Year 2019, Task Force members collaborated across the state to enhance the state’s response to trafficking. By working with legislative partners, the Task Force has created a strong legal framework to combat trafficking and provide protections for victims. With the creation of the Human Trafficking Prevention Coordinating Council, Task Force members and their partners build upon successful coordinating efforts preventing trafficking, protecting victims, and prosecuting offenders to strengthen our state response. Because of these sustained efforts, Texas remains a national leader in the response to trafficking.

As we move forward, we must continue to evolve our efforts and work strategically to achieve our goals. Collaboration at all levels has been the cornerstone in this fight. But while traffickers continue exploiting victims in our state, the fight is far from over. We must remain dedicated in preventing the spread of this crime, protecting those most vulnerable, bringing down offenders, and continuing partnerships across all levels and disciplines if we are to eradicate human trafficking and its far-reaching effects.