



Criminal Investigations  
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UCI University of  
California, Irvine



# Overcoming Reluctance and Increasing Intelligence Gathering from Victims of Trafficking

PIs: JODI A. QUAS, ALLISON D. REDLICH

Criminal Investigative Processes

## SUMMARY

Millions of people worldwide are victims of commercial sexual exploitation or sex trafficking, with about 25% of these victims under 18; unfortunately, the majority of these cases go undetected and unprosecuted. Law enforcement needs details from victims to successfully prosecute both individual traffickers and the larger crime networks that are often involved, and victims are often reluctant to disclose information. This project will produce evidence-based training and guidelines for effective intelligence gathering from victims to support successful prosecutions, and will highlight areas where additional law enforcement training may be needed.

## PROBLEM STATEMENT

It is estimated that in 2017, 4.8 million people across the globe were victims of sex trafficking. About 1/4 of victims were under 18, and most were female. Unfortunately, only a small fraction of these cases is prosecuted. Most exploitation goes undetected, and prosecution requires detection, which itself may well be dependent on victims' disclosures and effective interviewing. Trafficked victims, particularly minors, are often reluctant to disclose, which places law enforcement in an incredibly challenging position, and affects the likelihood of successfully prosecuting offenders. No evidence-based guidelines exist, however, about how best to question these unique and vulnerable victims, about what topics those questions should focus, or about what other evidence is most useful to successful prosecution.

## APPROACH

We have used a variety of approaches in this multi-phased project. First, we analyzed the content of trial transcripts in minor sex trafficking cases, focusing on the manipulation tactics perpetrators use to gain victim compliance and linking the tactics to victim cooperation with law enforcement. Second, we surveyed federal, state, and local law enforcement about their experiences, needs, and challenges when questioning these recalcitrant victims. We also asked for their thoughts and

experiences with successful prosecution, areas where gaps exist in their knowledge of trafficking, and where they believe they need additional training. Third, we obtained 20 years of federal and state court administration data to identify trends in trafficking case progression and outcomes. Finally, we are now examining the evidence used in trafficking prosecution cases and interviewing federal and state prosecutors about the challenges faced in these cases.

## RESULTS

To date, our research has highlighted 1) characteristics of the trafficker-victim relationship that can contribute to victims' evasiveness and uncooperativeness with law enforcement; 2) law enforcements' experiences when questioning these uncooperative victims, the broader challenges faced by law enforcement about what other evidence might be valuable for prosecution, the types of topics on which questions should focus in interviews, and the need for additional training on other topics related to trafficking investigations; and 3) key knowledge concerning what happens once cases are prosecuted, at the federal and state levels, including how often trafficking charges are dropped, reduced, or pled and the frequency of guilty v. not guilty trial outcomes.

## ANTICIPATED IMPACT FOR DHS

DHS and other federal, state and local law enforcement need to collect legally useful intelligence from suspected victims about their experiences, their trafficker, and criminal organizations engaged in trafficking. The victim-centered approach, which DHS follows, while crucial, does not include clear guidelines about how best to ask questions to elicit much-needed details from victims or about what topics those questions should focus. To date, trainings are largely designed to increase awareness of risk factors for trafficking and say little about what police and prosecutors should ask about once they encounter potential individuals with identifiable risk factors, or what other evidence should be sought for the best chance of successful prosecution. Results from this project will aid in the development of training guidelines for intelligence gathering, helping DHS and law enforcement collect evidence and prosecute cases involving sex trafficking of minors.