

## **Trafficking and Compelling Quick Look**

**As of 9/1/17**

### Trafficking of Persons <18

1. 1<sup>st</sup> degree
2. CCP 42A.054 (Judge cannot assess regular community supervision)
3. CCP 42A.056 (Jury cannot assess community supervision)
4. ½ time for purposes of parole
5. Lifetime Registration for sex trafficking
6. No statute of limitations for sex trafficking and 10 years past the 18<sup>th</sup> birthday for labor trafficking
7. Accomplice witness corroboration exempted

### Compelling Prostitution<18

1. 1<sup>st</sup> degree
2. CCP 42A.054 (Judge cannot assess regular community supervision)
3. CCP 42A.056 (Jury cannot assess community supervision)
4. ½ time for purposes of parole
5. Lifetime Registration
6. No statute of limitations
7. Accomplice witness corroboration exempted

### Trafficking of Persons – Adults

1. 2nd degree unless trafficking results in the death of the person then 1<sup>st</sup> degree
2. Or if trafficking results in the death of an unborn child of a trafficked person then 1<sup>st</sup> degree\*
3. CCP 42A.054 (Judge cannot assess regular community supervision)
4. CCP 42A.056 (Jury cannot assess community supervision)
5. ½ time for purposes of parole
6. Lifetime Registration for sex trafficking
7. Statute of Limitations: 10 years from the date of the offense
8. Accomplice witness corroboration exempted
9. Definition of coercion to include destroying or confiscating identification/governmental documents for sex trafficking only\*

### Continuous Trafficking of Persons

1. 25 to life
2. ½ time for purposes of parole
3. No statute of limitations
4. Lifetime Registration for sex trafficking\*
5. Can be used with one or more victims
6. Accomplice witness corroboration exempted

\*Indicates a change in the law.

## **As of 9/1/15**

### Trafficking of Persons <18

1. 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42.12 Sec. 4 (Jury cannot assess community supervision)
4. Lifetime Registration for sex trafficking
5. ½ time for purposes of parole
6. No statute of limitations for sex trafficking and 10 years past the 18<sup>th</sup> birthday for labor trafficking.
7. Accomplice witness corroboration exempted\*

### Compelling Prostitution <18

1. 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42.12 Sec. 4 (Jury cannot assess community supervision)
4. Lifetime registration
5. ½ time for purposes of parole
6. No statute of limitations\*
7. Accomplice witness corroboration exempted

### Trafficking of Persons – Adult

1. 2<sup>nd</sup> degree unless trafficking results in the death of the person then 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42.12 Sec. 4 (Jury cannot assess community supervision)
4. Lifetime registration for sex trafficking
5. ½ time for purposes of parole
6. Statute of Limitations: 10 years from the date of the offense
7. Accomplice witness corroboration exempted\*

### Continuous Trafficking

1. 25 to life
2. Non-registerable
3. ½ time for purposes of parole
4. No statute of limitations
5. Language change to make clear that can have one or more victims\*
6. Accomplice witness corroboration exempted\*

## **As of 9/1/13**

### Trafficking of Persons <18

1. 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42. 12 Sec. 4 (Jury cannot assess community supervision)\*
4. Lifetime Registration for sex trafficking
5. ½ time for purposes of parole\*
6. No statute of limitations for sex trafficking and 10 years past the 18<sup>th</sup> birthday for labor trafficking.

### Compelling Prostitution <18

1. 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42. 12 Sec. 4 (Jury cannot assess community supervision)\*
4. Lifetime registration
5. ½ time for purposes of parole\*
6. Statute of Limitations: 10 years past the 18<sup>th</sup> birthday

### Trafficking of Persons – Adult

1. 2<sup>nd</sup> degree unless trafficking results in the death of the person then 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)
3. 42. 12 Sec. 4 (Jury cannot assess community supervision)\*
4. Lifetime registration for sex trafficking
5. ½ time for purposes of parole\*
6. Statute of Limitations: 10 years from the date of the offense

### Continuous Trafficking

1. 25 to life
2. Non-registerable
3. ½ time for purposes of parole
4. No statute of limitations

**As of 9/1/11**

**\*\*\* Massive changes made to the trafficking statute. Divided trafficking into 4 sections: adult labor, adult sex, child labor, and child sex. All categories EXCEPT child sex trafficking require evidence of force, fraud, or coercion. Child sex provisions require only obtaining the child by any means and causing the child to engage in or to become the victim of any of the child sexual abuse offenses, regardless of whether the defendant knows the age of the child. Trafficking now tracks other child sex offenses in the Penal Code and CCP like outcry, 38.37, 3.03, etc. Replaced specific categories of conduct to prove involuntariness with “force, fraud, and coercion” language for adult labor, adult sex, and child labor trafficking. Offense of continuous trafficking created.**

#### Trafficking of Persons <18

1. 1<sup>st</sup> degree for both sex and labor trafficking <18\*
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)\*
3. Defendant eligible for regular community supervision from the jury
4. Lifetime registration for sex trafficking\*
5. ¼ time for purposes of parole
6. No statute of limitations for sex trafficking and 10 years past the 18<sup>th</sup> birthday for labor trafficking\*

#### Compelling Prostitution <18

1. 1<sup>st</sup> degree\*
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)\*
3. Defendant eligible for regular community supervision from the jury
4. Lifetime registration
5. ¼ time for purposes of parole
6. Statute of limitations: 10 years past the 18<sup>th</sup> birthday\*

#### Trafficking of Persons – Adults

1. 2<sup>nd</sup> degree unless trafficking results in the death of the person, then 1<sup>st</sup> degree
2. 42.12 Sec. 3(g) (Judge cannot assess regular community supervision)\*
3. Defendant eligible for regular community supervision from the jury
4. Lifetime registration for sex trafficking\*
5. ¼ time for purposes of parole
6. Statute of limitations: 10 years from the date of the commission of the offense\*

#### Continuous Trafficking\*

1. 25 to life\*
2. Non-registerable\*
3. ½ time offense for purposes of parole\*
4. No statute of limitations\*

\*Indicates a change in the law.

**As of 9/1/09**

Trafficking of Persons <18

1. 1<sup>st</sup> degree for sex trafficking<18/ 2<sup>nd</sup> degree for labor trafficking<18
2. Defendant eligible for community supervision from judge or jury
3. Non-registerable
4. ¼ time for purposes of parole
5. 3-year statute of limitations

Compelling Prostitution <18

1. 2<sup>nd</sup> degree
2. Defendant eligible for community supervision from judge or jury
3. Lifetime registration
4. ¼ time for purposes of parole
5. 3-year statute of limitations

Trafficking of Persons – Adult

1. 2<sup>nd</sup> degree unless the trafficking results in the death of the person then 1<sup>st</sup> degree
2. Defendant eligible for community supervision from judge or jury
3. Non-registerable
4. ¼ time offense for purposes of parole
5. 3-year statute of limitations

# HUMAN TRAFFICKING RED FLAGS

**HUMAN TRAFFICKING IS MODERN DAY SLAVERY.  
IT IS THE EXPLOITATION OF MEN, WOMEN, AND CHILDREN FOR FORCED  
LABOR OR SEX BY A THIRD PARTY FOR PROFIT OR GAIN.**

**RED  
FLAGS**

## **FOR MINOR AND ADULT SEX TRAFFICKING**

- Visible injuries: bruising, swelling, redness
- Inconsistent stories
- Descriptions of multiple sexual partners in Sexual Assault Nurse Examiner (SANE) exams
- Sexually transmitted disease (STDs)
- Failure to make eye contact
- Overtly sexual online profile
- Sexually provocative pictures on the phone or online accounts
- Teased by other students for being sexually active or a prostitute
- Backpage.com ads are linked to a person, business name, or phone number on Google
- Gang signs and/or affiliation
- Branding and tattoos:
  - Back of neck
  - Underarm
  - Ankle
  - Above the breasts
  - Above the vaginal line
  - Matching tattoos with trafficker
- Business cards lacking address: tire shop, shoes, repairs, fresh flowers
- Third-party control of identity documents
- Contents of a suspicious vehicle and/or location:
  - Hotel receipts
  - Drugstore receipts
  - Lingerie
  - Condoms
  - Female personal hygiene items in a place of business
- New high-end clothing recently purchased
- Hotel keys
- Rolls of money
- Prepaid credit cards or gift cards
- Child with multiple runaways within a short period of time
- Child or teenager with older person who is not related to them
- Child appears much older than stated age in appearance
- Child has a rehearsed story, but inconsistent throughout
- Child has in-depth knowledge of life on the streets
- Child thinks that "adult life" and "independence" is the greatest value
- Evidence of controlling relationship
  - Schedule and/or activities dictated by someone else
  - Isolation from friends and family
  - Unable to make simple decisions without approval from "significant other"
- Claim of boyfriend or girlfriend relationship with an older individual
- Fake or no identification
- Multiple phone or social media accounts
- Language:
  - Backpage.com
  - Eccie.net
  - Stable
  - Family
  - Daddy
  - Incalls/outcalls
  - Pimpin'
  - Mr. and Mrs.
- Changes in the child's appearance, friend groups, socio-economic status, level of sexualization, activities, or relationship to authority



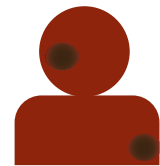
**RED  
FLAGS**



# HUMAN TRAFFICKING RED FLAGS

## RED FLAGS FOR LABOR TRAFFICKING

- Not free to leave or come and go as he or she wishes
- Unpaid, paid very little, or paid only through tips
- Works excessively long and/or unusual hours
- Not allowed breaks or suffers under unusual restrictions at work
- Owes a large debt and is unable to pay it off
- High security measures exist in the work and/or living locations, e.g., opaque windows, boarded up windows, bars on windows, barbed wire, security cameras, etc.
- Malnutrition, dehydration, exhaustion, stunted growth
- Dizziness, headaches, memory loss from traumatic brain injury
- Untreated chronic infections
- Dental and/or visual problems
- Chronic back pain, muscle strains, cardiovascular and respiratory issues related to exposure to chemicals, serious industrial injury
- Fearful, anxious, depressed, submissive, tense, or nervous/paranoid
- Exhibits unusually fearful or anxious behavior after bringing up law enforcement
- Avoids eye contact
- Lacks health care
- Appears malnourished
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture
- Living where they work and in space not zoned for living space
- Transported to and from work by the employer
- Living in squalid conditions and too many people in the space with insufficient beds
- Food, hygiene, and living conditions provided by the employer
- Do not have the proper licensing whether for driving, soliciting, running the equipment, providing the services or even to have a business within city limits
- Claims of just visiting and inability to clarify where he or she is currently residing
- Lack of knowledge of whereabouts and/or do not know what city he or she is in
- Loss of sense of time
- Numerous inconsistencies in his or her story
- Answers appear scripted or rehearsed
- Withdrawal from the community
- Few or no personal possessions
- Not in control of his or her own money, no financial records, or bank account
- Non-English speakers
- Recruited through false promises concerning the nature and conditions of his or her work
- Multiple middle men in the recruitment scheme
- Recruitment fees – may be in one or multiple payments
- Promises of green cards and permanent residency or citizenship
- High fees for substandard living arrangements
- Not in control of his or her own identification documents, i.e., government identification or passport
- Not allowed or able to speak for themselves – a third party may insist on being present and/or translating



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# HUMAN TRAFFICKING RED FLAGS

## RED FLAGS FOR MASSAGE PARLORS/SPAS

- Permit or license for something other than actual business
- Identify clientele: Is it only men that receive services at the “spa”?
- Location may have a guarded entrance
- Cameras both inside and outside
- Location storefront may be curtained off, blocked, etc.
- “Employees” may be ferried to and from work by the “spa employers” or may live at the location
- Location may be locked and opened only when someone is at the door with a phone
- Men walking through the parking lot talking on their cell phones
- Condoms in the parking lot



## HOW YOU CAN BE THE ONE

1. **Pay attention** to the people in your community, your surroundings, and report red flag behaviors.
2. **Don't wait to call.** Make your report timely. Those moments matter.
3. **Don't approach traffickers yourself.** That can place you, the victim and any future prosecution in danger.
4. If the conduct you observe is an emergency, call 911 and tell them you believe that you have observed human trafficking. Don't worry about being wrong. **Your call may be the one that saves a life.**
5. If it is not an emergency or you need to remain anonymous, call the National Human Trafficking Hotline at **1-888-3737-888.**
6. **Provide “actionable information”:**
  - Descriptions of cars: make, model, color, license plate
  - Descriptions of people: height, weight, hair color, age, eye color
  - Specific times, dates and locations: when and where you saw the conduct
  - Take a picture if you can safely do so.

**THOSE DETAILS MAKE THE DIFFERENCE!**



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## **Guidelines for Dealing Effectively with Human Trafficking Victims**

### **► Assess the Situation**

- Have you identified this as a potential trafficking situation?
- Does it appear to be sex or labor trafficking or a combination of both?
- Can you distinguish the apparent victim(s) from the apparent trafficker(s)?
- Are the victims English speakers or do you require an interpreter?
- Can you separate them from one another safely at the scene prior to talking to them or do you need to move to another location to do so?

### **► Assess the Witness**

- Are they suffering from an apparent physical injury?
- Are they able to focus on what you are saying?
  - Drugged
  - Sleep deprived
  - Disassociating
  - Panic attack
- When was the last time they had something to eat, drink, or use the toilet?
- Are they dressed in clothing that is appropriate for the setting, the company, or the temperature?
  - Clutching at low cut clothing/trying to cover up
  - Fidgeting uncomfortably
  - Refusing to give eye contact
  - Shivering

### **► Build Trust by Meeting Immediate Needs**

- If the victim needs medical attention that is your first priority.
- If your victim is unable to breathe regularly or does not appear to be in the “same location” that you are mentally, you may have a mental health issue that will require medical attention.
- If the victim is unable to stay awake for whatever reason, provide a safe place for them to sleep before the interview.
- Offer food or a beverage.
- Provide suitable clothing or a blanket.

### **► Call in the Cavalry**

- Establish a protocol for dealing with these types of cases before they happen.
- If you have a victim advocate or victim services coordinator get them to the scene.
  - Be the officer who makes that relationship connection for them from the beginning.
- If you do not have one in your department, then know which of your local service providers does.
  - i.e. Rape Crisis Center and/or Battered Women’s Shelter and make agreements ahead of time.
- Work with your regional coalition or local service providers to obtain food/clothing/hygiene items that a victim may immediately require.

- The more connected you are to partners with differing resources, the more you can concentrate on the police work.

► **Set the Scene for Success**

- Make sure the victim is physically comfortable as he or she is relating the story.
- Provide an official interpreter that is unconnected to the parties if needed.
- Act with courtesy, respect, and kindness.
- Provide the victim with small choices that provide them ownership of the process, such as:
  - Whether they sit or stand
  - Where the interview takes place
  - Whether they need a few moments before talking
  - Whether they would prefer to have an advocate with them
- Even micro-decisions can restore dignity and create cooperation.
- Use open ended questions that encourage elaboration.
- The initial interviews and taking of the victim statements are the time to encourage disclosure.
  - You can corroborate their story later on.
  - People are unlikely to disclose traumatic events that make them look bad to individuals that are actively hostile or expressing disbelief verbally or nonverbally.
- Use language and questions that are non-judgmental.
  - Of the victim AND
  - Of the trafficker
  - “Person engaged in prostitution” NOT a prostitute
- Use phrasing that does not condemn the victim for the situation they are in or how they ended up there.
- Keep a neutral demeanor to even shocking revelations.

# Regional Task Forces/Coalitions

(Contact information for meetings and local resources)

## Abilene: Big Country Coalition Against Human Trafficking

- **Lori Bunton (Regional Crime Victim Crisis Center)**
- 325-677-7895
- [lori@regionalvictimcrisiscenter.org](mailto:lori@regionalvictimcrisiscenter.org)

## Amarillo: Freedom in the 806 Coalition Against Trafficking

- **Brandi Reed (Family Support Services)**
- 806.342.2500 ext. 2530
- [Breed@fss-ama.org](mailto:Breed@fss-ama.org)
- Meets Quarterly – No Set Schedule

## Austin: Central Texas Human Trafficking Task Force

- **Kathi West (U.S. Attorney's Office, Western District)**
- (512) 916-5858
- [kathi.west@usdoj.gov](mailto:kathi.west@usdoj.gov)
- Meets 3 Times a Year at Austin Office – No Set Schedule

## Austin: Central Texas Coalition Against Human Trafficking (CTCAHT)

- **John Nehme (Allies Against Slavery)**
- (512) 751-7123
- [john@alliesagainstsavery.org](mailto:john@alliesagainstsavery.org)
- **Erica Schmidt (Refugee Services of Texas)**
- [eschmidt@rstx.org](mailto:eschmidt@rstx.org)
- Meets 4<sup>th</sup> Thursday of Every Other Month – 10/26

## Bell County: Central Texas DMST Roundtable

- **Dawn Owens (Bell County Juvenile Services)**
- (254) 618-4291; Cell (254) 541-9326
- [dawn.owens@bellcounty.texas.gov](mailto:dawn.owens@bellcounty.texas.gov)
- Meets 3<sup>rd</sup> Wednesday of Every Other Month 9a-11a – 11/15

## Corpus Christi: Coastal Bend Border Region Human Trafficking Task Force

- **Dr. Cathy Miller (Chair - Texas A&M Corpus Christi)**
- [drcathymiller@gmail.com](mailto:drcathymiller@gmail.com)
- <https://texascbbtaskforce.com/>

## DFW: North Texas Trafficking Task Force (NTTTF)

- **Dow Croyle (U.S. Attorney's Office, Northern District)**
- (214) 659-8660
- [dow.croyle@usdoj.gov](mailto:dow.croyle@usdoj.gov)
- Meets Quarterly in Arlington; 9a-11a General Session & 1p-3p Executive Session; Next meeting 11/8

## El Paso: El Paso County Anti-Human Trafficking Taskforce (EPCATT)

- **Jennifer Romero (FBI, El Paso Field Office)**
- (915) 832-5429 desk or (915) 472-0867 cell
- [jromero@fbi.gov](mailto:jromero@fbi.gov)
- **Cynthia Horton (Paso Del Norte Center of Hope)**
- (915) 503-8008
- [chorton@epccinc.org](mailto:chorton@epccinc.org)
- Haven't met in over a year

## Houston: Human Trafficking Rescue Alliance (HTRA)

- **Sharad S. Khandelwal (Chair - U.S. Attorney's Office)**
- (713) 567-9345
- [Sharad.Khandelwal@usdoj.gov](mailto:Sharad.Khandelwal@usdoj.gov)
- **Sherri Zack (Deputy Chair - U.S. Attorney's Office)**
- [Sherri.Zack@usdoj.gov](mailto:Sherri.Zack@usdoj.gov)
- **Kesha Miller (Victim Witness Unit - U.S. Attorney's Office)**
- [Kesha.Miller@usdoj.gov](mailto:Kesha.Miller@usdoj.gov)
- Quarterly Meetings; Monthly Meetings for LE & Service Providers

## Houston: Houston Rescue & Restore Coalition

- **Misa Nguyen**
- (713) 874-0290
- [mnguyen@uaht.org](mailto:mnguyen@uaht.org)

## Longview/Tyler: East Texas Anti-Trafficking Team Partners in Prevention

- **Sekettia Brantley**
- (903) 237-1019
- [sbrantley@longviewtexas.gov](mailto:sbrantley@longviewtexas.gov)
- Meets Every 3<sup>rd</sup> Wednesday of the Month

## Lubbock: Sex Trafficking Allied Response Team (START)

- **Kim Stark (Voice of Hope/Lubbock Rape Crisis Center)**
- (806) 763-3232
- [kim@voiceofhopelubbock.org](mailto:kim@voiceofhopelubbock.org)
- Meets 3<sup>rd</sup> Friday of the Month at 9:30a at Prosperity Bank, Garden Room, 1401 Ave Q, Lubbock

## Lubbock: Human Rescue Coalition

- **Tricia Vowels (Co-Chair - Dept of State Health Services)**
- [Tricia.vowels@dshs.state.tx.us](mailto:Tricia.vowels@dshs.state.tx.us)
- **Taiya Jones-Castillo (Co-Chair - Dept of State Health Services)**
- (806) 783-6481
- [Taiya.jones@dshs.state.tx.us](mailto:Taiya.jones@dshs.state.tx.us)
- [humanrescuecoalition@gmail.com](mailto:humanrescuecoalition@gmail.com)
- Meets 1<sup>st</sup> Tuesday of the Month at 12p at Larry Combest Community Health & Wellness, 301 40<sup>th</sup> Street, Lubbock

## Tyler: East Texas Coalition Against Sex Trafficking (ETCAST)

- **Shannon Trest (Women's Center of East Texas)**
- (903) 295-7846
- [Shannon@wx-et.org](mailto:Shannon@wx-et.org)

## Rio Grande Valley/McAllen: Rio Grande Valley (RGV) Human Trafficking Coalition

- **Investigator Cano (Hidalgo County District Attorney's Office)**
- (956) 292-7616
- **Marissa Cano (BCFS)**
- (361) 290-9611
- [Marissacano1975@gmail.com](mailto:Marissacano1975@gmail.com)
- **Rosie Martinez (Hidalgo County District Attorney's Office)**
- (956) 569-0231
- Meets 3<sup>rd</sup> Wednesday of the Month
- [rgvhtcl@yahoo.com](mailto:rgvhtcl@yahoo.com)

**San Antonio: Alamo Area Coalition Against Trafficking (AACAT)**

- **Gina Arriaga (Bexar County Juvenile Probation)**
- (210) 335-1810
- [garriaga@bexar.org](mailto:garriaga@bexar.org)
- **Maricela Morales (Bexar County Juvenile Probation)**
- (210) 335-1815
- [mmorales@bexar.org](mailto:mmorales@bexar.org)
- Includes South Texas Officers and Prosecutors (STOP) Task Force Against Human Trafficking
- Meets 2<sup>nd</sup> Tuesday of Every Other Month at 9a – 11/14

**Waco: Heart of Texas Human Trafficking Coalition (UnBound Waco)**

- **Natalie Garnett**
- (254) 754-0386 ext. 134
- [Natalie.Garnett@UnBoundnow.org](mailto:Natalie.Garnett@UnBoundnow.org)
- <https://unboundnow.org/chapter/waco/>
- Meets Quarterly 10a-12p; 10/19/17 & 01/11/18

**DPS Regional Victim Service Counselors**

- Regional Victim Services Counselors are also a resource for referrals in your area.
- **Regional contact information can be found on the DPS Victim Services website:**  
[https://www.dps.texas.gov/administration/staff\\_support/victimservices/pages/victimservicescounselors.htm](https://www.dps.texas.gov/administration/staff_support/victimservices/pages/victimservicescounselors.htm)

**National Human Trafficking Resource Center and BeFree Hotline**

If there is not a coalition or task force in your area, call the NHTRC to find resources, report a tip, request training/technical assistance, or obtain general information:

**Call: 1-888-373-7888 | Text: HELP to BeFree (233733)**

[nhtrc@polarisproject.org](mailto:nhtrc@polarisproject.org) [www.traffickingresourcecenter.org](http://www.traffickingresourcecenter.org)

The [National Human Trafficking Resource Center \(NHTRC\)](http://www.traffickingresourcecenter.org) is a national, toll-free hotline, available to answer calls from anywhere in the country, 24 hours a day, 7 days a week, every day of the year in more than 200 languages. The NHTRC is operated by Polaris, a non-profit, non-governmental organization working exclusively on the issue of human trafficking.

**NOTE: The individuals listed on this page are not the law enforcement or victim services point of contact. Contact the coalitions and task forces in your area for the appropriate individual for victim referral or to find out about local resources and meeting times.**