



# Sex Trafficking

**Prosecuting Pimps, Protecting Victims**

**Law Enforcement Sensitive**

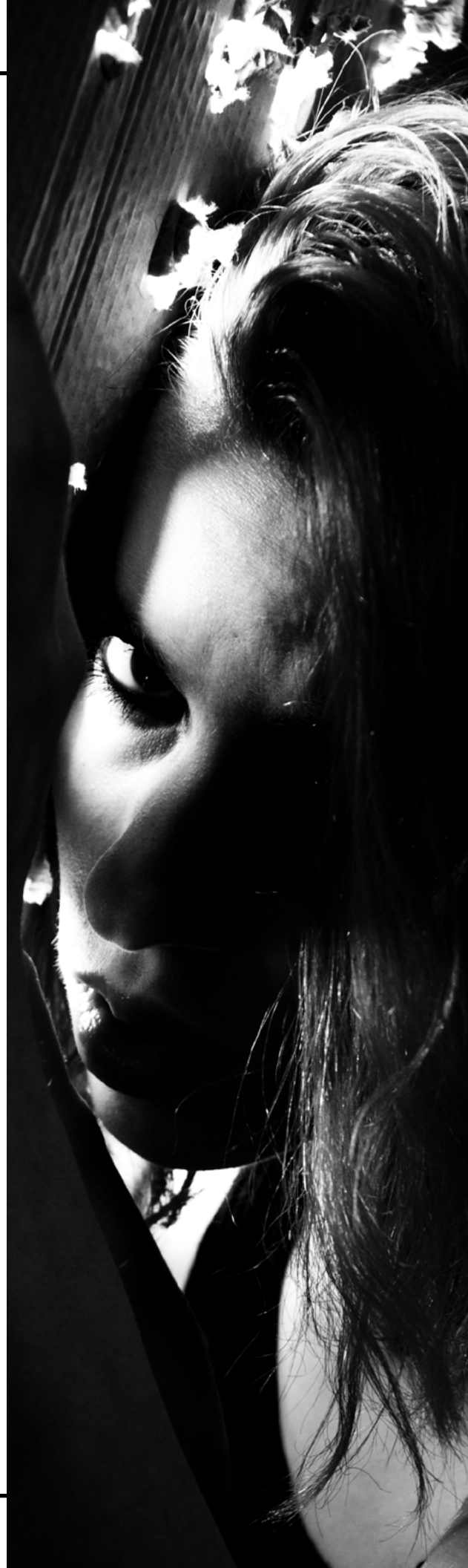


Sex Trafficking: Prosecuting Pimps, Protecting Victims is a special report produced by the Rocky Mountain Information Network (RMIN) with a focus on how small, rural law enforcement agencies can help identify, investigate and prosecute cases of sex trafficking.

This report was authored by Jeff Basterrechea, RMIN's Law Enforcement Information Coordinator in Idaho. Basterrechea retired from the Boise Police Department after a 28-year career with the agency. Contributors to the report included Det. Mike Miraglia of the Boise Police Department and Lynita Hinsch, Computer Forensic Analyst with the Rocky Mountain Information Network.

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# Sex Trafficking

## Prosecuting Pimps, Protecting Victims

By Jeff Basterrechea, RMIN Law Enforcement Information Coordinator, Idaho

When I started in law enforcement 30 years ago, prostitution was deemed a victimless crime. Some in society felt what two consenting adults did behind closed doors was their own business. Out of sight, out of mind. Hence, prostitution was only a misdemeanor offense, usually punishable by a fine or jail for a second offense. Even in Idaho, it took a third conviction to amount to a felony and no prosecutor was going to exhaust resources trying to convict a prostitute on a felony, so they usually pled it down, which a prostitute would accept, case closed.

Law enforcement seldom looked for the pimp, because back then, pimps were only a big city problem. In most rural states, prostitutes were local women. In Boise, if you wanted to hire a prostitute, you went to the yellow pages under “escort” or you drove to your local massage parlor or bathhouse. The majority of the prostitutes were local women who drifted in and out of prostitution.

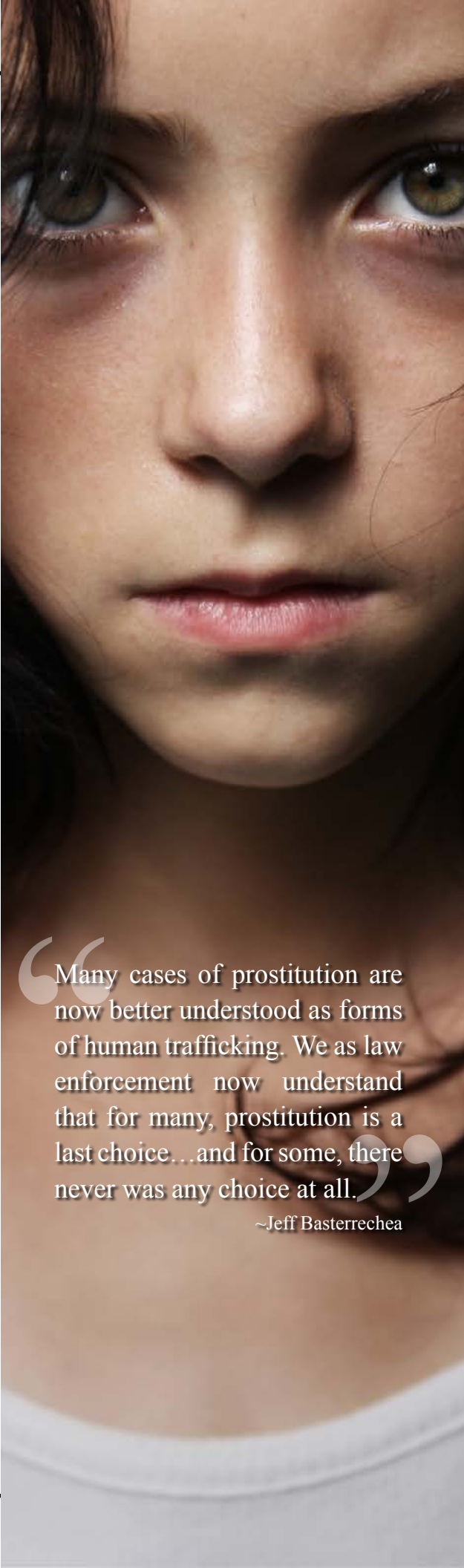
Today, this is no longer the case. With the advent of the Internet and major hotel chains moving to more rural communities, prostitution will become more of an issue for rural communities. Today, those involved in prostitution use the Internet to research communities to determine what type of accommodations are available to support their criminal acts, and they use social media to make contact with prospective clients before they get to your town.

Most importantly, law enforcement’s understanding of the issue itself has changed. Many cases of prostitution are now better understood as forms of human trafficking. Stemming from an international movement born in the 1990s, our understanding has evolved to recognize that commercial sex trafficking is at the root of many cases of prostitution.

We as law enforcement now understand that, for many, prostitution is a last choice... and for some, there never was any choice at all.

Because of this, law enforcement needs to think outside the box and educate their community on the real dangers of prostitution and the issues victims of human trafficking face. This is what happened three years ago when I was the sergeant of the Gang Unit for Boise Police Department. A detective under my command was assisting our Vice and Narcotics Unit with a male who had been arrested with a female for prostitution. The detective discovered the male was a documented gang member out of California and was prostituting females for a major street gang out of that region.

Fortunately, the Boise Police Department had the resources, including a victim/witness coordinator, to assist the victim of human trafficking in getting the necessary help she needed. This victim became a witness



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~Jeff Basterrechea

against the gang member, who was convicted of "Accepting the earnings from Prostitution" and was sentenced to two years in prison. Since then, he has been charged in six cases of human trafficking, including one that involved a major human trafficking ring comprising several different criminal gangs that a regional task force developed into a large racketeering case.

**Lesson Learned:** Don't look at prostitution as a victimless crime. Look further to see if you have a human trafficking violation. Often, this is the case when prostitutes from out of state are traveling with a male or female companion.

If you look below the surface, it's very likely you will be saving a trafficking victim instead of simply prosecuting a misdemeanor suspect.

Jeff Basterrechea  
Law Enforcement Information Coordinator, Idaho  
Rocky Mountain Information Network

## What is Human Trafficking?

Human trafficking is defined as:

- Inducing a person under the age of 18 into commercial sex.
- Inducing a person 18 or older into commercial sex using force, fear or fraud.
- Children or adults coerced to perform labor or service using force, fear or fraud.

All 50 states have human trafficking laws, and in 2000, Congress passed the Trafficking Victims Protection Act to combat human trafficking. An important aspect of human trafficking laws is that the prostitute/victim no longer has to be brought across state lines for a federal violation. If one of the definitions stated above is met, a suspect can be charged either federally or locally.

Although there are no hard numbers as to how many prostitutes are involved in human trafficking, the FBI estimates in a September 15, 2015, intelligence bulletin that there are approximately 300,000 juveniles currently being victimized in the commercial sex business. The Polaris Project, a nationally recognized human trafficking resource, estimated that between 2007-2014, 85 percent of all trafficking cases involving prostitutes were female, 15 percent male, 66 percent were adults and 34 percent were juveniles.

In 2014, 71 percent of all reported human trafficking cases were sex trafficking, according to the Polaris Project.

Another troubling sign according to the FBI bulletin<sup>1</sup>, is that in the Los Angeles area, black street gangs controlled 85 percent of the street prostitution. This resembled a trend observed by Boise Police Department with victims trafficked into the Boise area. The majority of females contacted who came from Portland, Seattle, Las Vegas and southern California were trafficked by black street gangs.

“If you look below the surface, it's likely you will be saving a trafficking victim instead of simply prosecuting a misdemeanor suspect.”

~Jeff Basterrechea



# Indicators of Possible Sex Trafficking

To determine whether there may be a sex trafficking issue in your community, examine the top three sex trafficking sites that may operate within your jurisdiction. They are hotels/motels, commercial front brothels and the Internet.

Signs of possible sex trafficking in hotels/motels:

- Complaints from guests and staff of short-term traffic at certain rooms. Get to know hotel managers and desk clerks. They can be one of your best sources if properly trained on what to look for. A warning: Some clerks may be anti-police and will warn potential sex traffickers, but if that's the case, traffickers will often move to another community and you've prevented a crime in yours.
- Spike in crimes, especially among males who claim to be victims of thefts of cash or credit cards and robbery/assaults. In some cases pimps will have the prostitute lure males to hotel rooms to commit crimes, knowing in most cases the males will be too embarrassed to report the crime. In these instances, males will give conflicting statements when it comes to identifying the suspect(s) or what exactly happened. Make sure their story fits the circumstances.
- What starts as a domestic battery call might actually be a beating by a pimp of a prostitute. Do the subjects stay in the same room or have separate rooms? Do their stories match up?
- Does the subject(s) in question give a city as his home that is known as a hub for prostitution and heavy gang activity?
- Subject(s) who have a record for prostitution or pimping.

Signs of possible sex trafficking at a commercial business:

- Female employees appear to live there. Female employees are scantily clad.
- Female employees do not speak English, look to the manager for answers and lack proper identification. Manager has all the identification in his/her possession.
- The majority of females appear to be foreign nationals.
- Business license lapsed or not in order.
- Complaints from surrounding neighbors or businesses about continual, short-term traffic.
- Business interior doesn't fit the model for what the business license states. For instance, certain states require a masseuse to be licensed but there are no diplomas or professional licenses visible.
- Alcohol or drugs on premises but business does not have an alcohol license.
- Sexual paraphernalia in plain sight (condoms, lotions, etc.)
- Females have prior arrests for prostitution.

## Sex Trafficking Misconceptions:

- Victims are foreign
- Trafficking always involves physical restraint, force or bondage
- Real victims will seek assistance or cry out
- Victims should have “known better”
- Traffickers are always men and victims are always females
- Trafficking only takes place in back alleys and massage parlors
- Victims are always introverted or timid

~Red Light Rebellion

### Signs of possible sex trafficking on the Internet:

- Sites such as craigslist, Backpage, Plenty of Fish and other dating sites will often be the first clue that sex trafficking is being conducted in your community. Backpage and craigslist have been scrutinized by state and federal attorneys general to the point the sites have dropped "Escort" type listings and present their format as a dating site.
- Categories listed as "Women meeting Men," "Men-Women meeting Men," etc., are still used by sex traffickers to promote prostitution.
- Compare these Internet sites with communities close to yours or that would be a logical route to relocate prostitutes. If you find similar listings, it's likely you are dealing with sex traffickers.

## Investigating Sex Trafficking

If you are going to conduct a preventive investigation, such as using undercover officers to solicit the act of prostitution, develop a game plan. Things to consider:

- Many agencies use undercover narcotic detectives to work prostitutes. Some agencies are hesitant to burn a narcotic officer for a misdemeanor crime. Remember to look at the big picture. You aren't working a misdemeanor but working toward a human trafficking conviction. Just like a drug case, you may start out buying misdemeanor amounts of drugs, but your goal is to take down the primary drug supplier for your community.
- Create partnerships with federal, state and local agencies. The more resources, the less stress on your agency going it alone. Plus, federal agencies can bring financial resources and expertise in areas including cell phone and computer forensics. Also, remember that as a RMIN/RISS member, your agency qualifies for cell phone, computer forensics and analytical help for free.
- Bring your prosecutors on board early. They are the ones who will be presenting these cases to juries and grand juries. Every prosecutor has his/her way of presenting a case. Make sure everyone involved understands exactly how the undercover operation is going to be conducted.
- Create partnerships with local non-profits, social services, shelters, and faith-based organizations. Many are well-versed in the topic and are interested in aiding victims of trafficking. Aid to victims of human trafficking is a long-term endeavor and you will need all the help you can get.
- Investigate websites to see if your suspect(s) have been in other towns or cities before coming to yours. Check with that local law enforcement agency to see if they had any contact with your subject(s). Don't be surprised if the prostitute was arrested in one city, bonded out of jail and moved on. There is also a chance the pimp was contacted but there wasn't enough evidence to arrest. It might be the investigating agency wasn't looking at a human trafficking case.

“There are two primary factors driving the spread of human trafficking: high profits and low risk. Like drugs and arms trafficking, human trafficking is a market-driven criminal industry that is based on the principles of supply and demand.”

~Polaris Project



- Last but not least, don't be naïve enough to think this won't happen in your community. If it can happen, it will happen, just like the spread of illegal drugs in every community in the United States. Sex trafficking is not only a big-city problem. If gang members see they can conduct sex trafficking in your community with no police response, you can bet they will bring more illegal activity into your community.

## Evidence Consideration

If you can pre-plan evidence to look for or if you happen onto a human trafficking offense, listed below are items that should be seized. ***If in doubt, secure the scene and get a warrant.***

- Get a photograph of the social media posting. Don't be surprised if the person on the posting is not the person you have in custody. The photograph can add to the probable cause you need to get a search warrant for the social media company that posted the ad. In the warrant, you will want to include who had the account and the IP address information. You also will want to know how the site was paid for. Most traffickers/pimps will use prepaid debit cards, such as Green Dot cards.
- Look for store receipts for items used in the crime (prepaid phone cards, prepaid credit/debit cards, condoms, etc.). Go to the stores where the items were purchased and pull the security videos. This can help link the pimp/trafficker to the crime if he denies any knowledge of the prostitution crime.
- Look for any out-of-town hotel receipts and then pull the social media ads from that area to see if your suspect(s) posted similar ads. This strengthens your trafficking case.
- Seize all computers and cell phones, including the John's if he has been apprehended. Pimps/traffickers are more likely to post from a smart phone. Document who had which cell phones and whose room the items were in (many times it's the pimp/trafficker who does the posting, mainly to control the prostitute/victim on how many customers she must service). The pimp/trafficker will also communicate via text with the potential John while the prostitute/victim is with a customer or sleeping.
- When seizing electronic equipment, it's imperative to document who handled the equipment, what was done to secure the device and the date and time the equipment was closed down or blocked from receiving or sending signals.
- For computers, take a picture of the screen that is open, shut down the computer and remove the battery. Remember to document what you saw on the screen, the steps you used to shut down the computer and the dates and times of this process.
- Cell phones will be the riskiest of all the electronics to deal with. Remember: Courts will allow you to go through the cell phone to ***secure*** the data, not to look at it. If the cell phone is not locked, put the phone in airplane mode. This stops all communication and





protects the phone from being wiped from an outside source. If the cell phone is not locked, there is no need to disable the screen lock because when the cell phone goes to sleep, it won't be locked. If the phone is locked but not sleeping (a user has access to the phone), move to ensure the phone doesn't go to sleep: Go to "Settings," then disable the Screen Lock function. If the screen is locked, tell the owner of the cell phone you will need to hold onto the phone and are willing to give them any phone numbers but need the pass code to do so. **Do not allow subjects to handle the cell phone -- do it for them.** On iPhones running iOS 8.0.1 or newer software, it will be impossible to break the passcode if the owner does not provide it. Apple has warned that the company does not have the ability to crack password-protected iPhones.

- After the phone has been secured, place the phone in a Faraday bag to isolate the phone from sending or receiving cellular or wireless data. If the phone isn't locked, the phone can be powered down. If the phone is locked but accessible, disable the screen lock to keep the phone awake in order to dump the contents. Worst case scenario: Get a warrant and settle for photographs or video of the various screens (messages, email, Facebook, etc.).
- Seize all money and document who had possession of the money or in whose room it was located.

## Interviewing the Prostitute/Victim

Treat the prostitute as you would a victim of a domestic battery and show empathy. Remember this person probably got into prostitution through force, fear or fraud. Many of these women have experienced some type of abuse prior to meeting the pimp/trafficker and often will have a history of childhood sexual abuse. The pimp/trafficker may be the only family or social support she has.

While it's likely she's been mentally and physically abused by the pimp/trafficker, he is her lifeline and often controls all aspects of her life. He decides where she will eat, sleep and with whom she will socialize.

- Interview as a victim and put her at ease. The biggest challenge will be convincing the victim that the pimp/trafficker is no longer a threat. If he's been arrested on a felony, let her know. Remember, loyalty to the pimp/trafficker can be difficult to overcome because the victim is trained how to respond to protect her pimp.
- Be aware of other prostitutes who may act as the second in command. These are known as "bottom bitches/bottom girls." These are prostitutes who will take over the business or discipline in the pimp's absence. Depending on the specifics of the case, they can be charged just like the pimp/trafficker.
- Don't be surprised if your victim admits to the crime of prostitution. She may know it's a misdemeanor and think she will either get a citation or be able to bond out of jail. Let her talk about the incident. Don't be afraid to talk to her about the crime if she wants to talk. In some cases, the victim can be held as a material witness, but this is

“I just left my pimp a few days ago, and I am so overwhelmed right now. Part of me feels free and excited about the future, and the other part of me feels like maybe I am making a big mistake.”

~Survivor, Survivor's Guide to Leaving via Red Light Rebellion

something to discuss with your prosecutor. In any case, if Miranda is necessary, then administer the warning. Keep it low key, let her think you are looking at a lowly misdemeanor crime to get her to talk about the bigger issues.

- Take photos of any injuries. Document any other evidence, including malnourishment (ask when was the last time she ate, how she was paid [in food?], etc.).
- Never question her in the presence of the pimp/trafficker or other prostitutes. Even if she says the right thing to get her pimp/trafficker out of trouble, she may still be punished for even talking to the police and being arrested.
- If she asks about getting out of “The Life,” tell her you can help make that happen. This means getting her to a safe haven and out of contact with the pimp. Just getting her the basic necessities—food, medical attention and temporary living arrangements—can go a long way in getting her cooperation. Remember, this will be for a short duration and involve partnerships with other local, state or federal agencies.

## Interviewing the Suspect

- The reason most pimp/traffickers get into the commercial sex business is because they think it will carry a lesser penalty than narcotic distribution or firearm offenses, so keep the interview low-key.
- Ask the pimp/trafficker about the relationship with prostitute/victim, including places they’ve been together, etc.
- If arrested, monitor jail calls, visitor logs, outgoing correspondence.
- Play to their ego: some think they are businessmen, Romeos.
- They will lie, but within the lie may be useful information (where they have been traveling, hotels used, stores where they bought calling cards, pre-paid credit cards, etc.).
- If they do bond out, make sure “no contact” orders are put in effect between the pimp/trafficker and prostitute/victim and other witnesses. Understand that if a suspect is facing major human trafficking charges, he will use other prostitutes, and if gang connected, fellow gang members, to locate and intimidate your victim.

<sup>1</sup> “Juvenile Sex Trafficking Victims Are Being Exploited and Controlled through a Complex Network of Resources and Alliances Between Black Street Gangs in the Los Angeles Region,” *FBI Intelligence Bulletin*, Los Angeles Field Office, 14 September 2015





# Resources

Listed below are available resources, by state, in the RMIN region. Resources differ between states and although every effort has been made to include as many resources as possible, there may be additional resources not listed here.

When considering resources, remember to treat the prostitute/victim as if she is in protective custody and be ready to do all you can to serve as a semi-babysitter until you can get the necessary resources to keep her in your jurisdiction to testify.

Resources could include medical treatment, housing, clothing, food, etc. Even if your agency doesn't have the necessary resources, check with larger agencies to see if they can assist or look to faith-based organizations to help.

The following is a listing of several public and private/non-profit anti-human trafficking resources available in the RMIN region:

## Arizona

- End Sex Trafficking AZ  
[www.endsextrafficking.az.gov](http://www.endsextrafficking.az.gov)
- Arizona Department of Public Safety  
[www.azdps.gov](http://www.azdps.gov) | Captain Pinnow [JPinnow@azdps.gov](mailto:JPinnow@azdps.gov) or call 602.223.2739

## Colorado

- Colorado Human Trafficking Hotline 866.455.5075
- The Laboratory to Combat Human Trafficking  
[www.combathumantrafficking.org](http://www.combathumantrafficking.org) or contact Amanda Fingers at [amanda@combathumantrafficking.org](mailto:amanda@combathumantrafficking.org)
- Human Trafficking Program  
[www.coloradocrimevictims.org](http://www.coloradocrimevictims.org)
- National Human Trafficking Resource Center  
[www.traffickingresources.org](http://www.traffickingresources.org)

## Idaho

- [Human Trafficking Resources for Idaho](#)

## Montana

- Agent Gary Seder with Montana Department of Justice, Division of Criminal Investigation, has extensive training and background with Internet Crimes Against Children, online predators and human trafficking. Agent Seder can be reached at 406.896.4389

## Nevada

- [http://ag.nv.gov/Human\\_Trafficking/HT\\_Home/](http://ag.nv.gov/Human_Trafficking/HT_Home/)

## New Mexico

- [Guide To Local Advocacy - Groups for Sex Workers & Sex-Trafficking Victims](#)

Between 1/1/2014 and 12/31/2014, the National Human Trafficking Resource Center (NHTRC) hotline received reports of 5,042 potential human trafficking cases in the United States: 1,581 of these cases (31.4%) involved minor victims.

~NHTRC website, accessed November 20, 2015

## Utah

- Utah Attorney General's Office <http://attorneygeneral.utah.gov/human-trafficking>

## Wyoming

- SAFE Project  
[www.safeproject.org](http://www.safeproject.org)
- Wyoming Coalition Against Domestic Violence and Sexual Assault  
[www.wyomingdvsa.org](http://www.wyomingdvsa.org)  
Contact Jamie Chavez, Wyoming Division of Victim Services at 307.777.8952

## Additional Resources

### The Polaris Project

- 24-hour hotline (888.373.7888)  
Texting helpline at Text BeFree (233733)  
website, [www.polarisproject.org](http://www.polarisproject.org)

### Office for Victims of Crime/Human Trafficking

- <http://ovc.ncjrs.gov/humantrafficking>

### A Victim-Centered Approach to Sex Trafficking Cases

- <https://leb.fbi.gov/2015/november/a-victim-centered-approach-to-sex-trafficking-cases>

[\*\*\*Preventing Child Sex Trafficking\*\*\*](#), a presentation of Red Light Rebellion by Breanna Vales, director/founder, Red Light Rebellion and Jennifer Rodems, Criminal Intelligence Analyst, Rocky Mountain Information Network.



# SNCTC | CRIME ANALYSIS



November 12, 2015

BOLO – Implantation Devices

## UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

**(U//LES)** In October 2015, LVMPD responded to UMC Hospital reference a female who stated that she had a GPS tracking microchip inside her and wanted to have it removed. The female advised the UMC Medical Staff that the microchip had been placed inside her by her pimp for the purpose of tracking her movements. Medical staff discovered a metallic object in her lower back during an X-ray examination and subsequently removed the object.

**(U//LES)** The victim contacted law enforcement multiple times prior to going to UMC, but responding officers believed the victim was suffering from mental illness and did not further investigate her allegations. While the device likely was not capable of GPS tracking, it is possible this is an intimidation tactic being used by pimps.



Microchip



Implantation site

**(U//LES)** The victim claimed the microchip was ordered online and possibly purchased from Escape Alert, a company that sells and manufactures GPS tracking chips for animals.

**(U//LES)** Law enforcement should be aware of this incident and not dismiss other similar incidents on the grounds of possible mental illness. Please contact LVMPD Vice section at 702-828-1693, if you encounter similar incidents or require additional information.

**Warning:** This information and any attachments are Unclassified // Law Enforcement Sensitive. Recipients are reminded that this report contains sensitive information intended only for Law Enforcement and the Intelligence Community. Its compromise could highlight local counterterrorism interests, capabilities, and methodologies. Such information shall not be released in either written or oral form to anyone outside of the law enforcement community, to include to the media, the general public, or other personnel who do not have validated need for access to law enforcement sensitive information without prior approval of the SNCTC.

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