

REVISED DATE	EFFECTIVE DATE	DISTRIBUTION	NUMBER
October 1, 2008	October 1, 2008	All Personnel	158
CROSS REFERENCE:		TITLE: <b>HUMAN TRAFFICKING INVESTIGATIONS</b>	

158.001	Policy	158.40	Responsibilities of CID
158.10	Training	158.60	Victims Rights
158.20	Responsibilities of the Investigating Officer	158.70	Communications Center
158.30	Responsibilities of the On-Scene Supervisor	158.80	Arrest and Prosecution

**158.001 Policy** - Human trafficking is a multi-billion dollar criminal enterprise worldwide. The State of Florida is one of the top destination states in the U.S. for trafficking victims. The Florida legislature has declared that the perpetrators of human trafficking be penalized for their illegal conduct and that the victims of trafficking be protected and assisted by this state and its agencies (FS 787.06). The Criminal Justice Standards and Training Commission has mandated training in human trafficking for all police recruits. Human trafficking investigations require special training, investigative skills, and protocols. Clearwater Police personnel will be alert to the signs of human trafficking and refer and document cases as described in this procedure.

**158.002 Human Trafficking** – Under state and federal law, human trafficking is defined as a form of modern-day slavery. Victims of human trafficking are young children, teenagers, and adults. Thousands of victims are trafficked annually across international borders worldwide. Many of these victims are trafficked into this state. Victims of human trafficking are subjected to force, fraud, or coercion for the purpose of sexual exploitation or forced labor. The crime of human trafficking is defined in F.S.S. 787.06 as well as federal law.

158.003 The Clearwater Police Department recognizes that human trafficking is a serious crime that exists within our jurisdiction. CPD will collaborate with the Federal Bureau of Investigation, the Department of Labor/Office of the Inspector General, The U.S. State Department, U.S. Customs and Border Protection, U. S Attorneys Office for the Middle District of Florida, the Bureau of Immigration and Customs Enforcement (ICE), Florida Department of Law Enforcement (FDLE), the Office of the State Attorney and other federal, state and local law enforcement agencies, and victim advocacy agencies. Victims of trafficking will be given all available assistance by law enforcement personnel responding to all incidents of trafficking regardless of the victim’s immigration status, as provided by law. Victims of human trafficking are provided specific immigration protractions under federal law. Particular attention is given to victims of all types of trafficking, including children, by working with support agencies to provide alternate shelter, relocation services, counseling, and legal services. Local agency training programs and materials will supplement information provided in this general order.

**158.10 Training** – The Clearwater Police Department will provide both introductory and advanced training in Human Trafficking to officers and investigators. The training will assist officers in recognizing victims of human trafficking, understanding state and federal legislation on human trafficking, and identify local resources available to victims of human trafficking. The training will also be made available to personnel of other area law enforcement agencies.

**158.20 Responsibilities of the Investigating Officer** – During the course of investigations and during citizen contacts, Officers shall be alert to indicators of human trafficking. If an officer suspects a person is a potential victim of human trafficking, the officer should attempt to interview the suspect victim away from any possible trafficker, utilizing impartial interpreters as necessary, and consider asking the following questions:

- (1) Can you leave your job or situation if you want?
- (2) Can you come and go as you please?
- (3) Have you been threatened if you try to leave?
- (4) Have you been physically harmed in any way?
- (5) What are your working and living conditions?
- (6) Where do you sleep and eat?
- (7) Do you sleep in a bed, on a cot or on the floor?
- (8) Have you ever been deprived of food, water, sleep, or medical care?
- (9) Do you have to ask permission to eat, sleep, or go to the bathroom?
- (10) Are there locks on your doors and windows so you cannot get out?
- (11) Has anyone threatened your family?
- (12) Has your identification or documentation been taken from you?
- (13) Is anyone forcing you to do anything that you do not want to do?

158.22 Officers shall investigate all suspicions or allegations related to human trafficking violations, and recognize the potential for all investigations to reveal human trafficking related violations. Offenses commonly associated with human trafficking include, but are not limited to, the following:

- (1) Forced labor, particularly in construction and service industries.
- (2) Prostitution.
- (3) Child abuse.
- (4) Identity theft.
- (5) Fraudulent identification and immigration documents.
- (6) Money laundering.

158.25 All investigations related to allegations or suspicions of human trafficking shall be documented by completing a case report. The investigating officer shall notify the on-duty supervisor of any investigation or suspicion of human trafficking, as well as notify the Intelligence Unit immediately.

158.27 **Report Completion and Follow-up** - Prior to going off duty, the primary investigating officer will complete the report and other investigating officers will complete all supplement reports. The on-duty supervisor should consult with the involved CID unit supervisors to evaluate any operational impact of holding over a report.

158.30 **Responsibilities of the On-Scene Supervisor** - The patrol supervisor shall be notified of calls related to human trafficking allegations or suspicions, and assume the following responsibilities:

- (1) Monitor the investigation to ensure the allegation or suspicious is thoroughly investigated;
- (2) Notify the Intelligence Unit Supervisor and District Commander immediately of the investigation;
- (3) In confirmed cases, coordinate support assistance from federal law enforcement agencies and victim services organizations that will often be required immediately.
- (4) Make appropriate district log entries.

158.40 **Responsibilities of the Criminal Investigations Division (CID)** - The Intelligence Unit shall oversee human trafficking investigations in conjunction with other units of CID as dictated by the defined criminal violation. The Intelligence Unit will be responsible for coordinating the investigation with the appropriate state and/or federal agencies.

- 158.401 The decision to respond a detective will be made by the CID Intelligence Unit or other CID unit supervisor responsible for the identified criminal investigation based upon the facts as relayed by the on-scene personnel. Confirmed cases will require the response of a CID investigator trained in human trafficking investigations.
- 158.41 Upon arrival, the detective shall work in conjunction with the investigating officer and will summon the required assistance from other state and/or federal agencies and victim service agencies. The detective will assist with any investigative responsibilities that arise after completion of the on-scene investigation.
- 158.60 Victim Rights** – Immigrant victims of human trafficking have specific legal rights under both state and federal law. It is of utmost importance that the human trafficking victims are afforded all the rights guaranteed to victims under state and federal law, irrespective of the victim’s immigration status (also see general order 132 concerning victim rights). The investigating officer will insure that communication is established with the victim in the victim’s native language utilizing impartial interpreters as necessary.
- 158.61 Officers dealing with the suspected victim of human trafficking offenses shall treat the victim with care and compassion whether or not all of the elements of the crime have been established at that time.
- 158.62 Human trafficking victims may require extensive services related to their immigration status, health, housing, and other needs. The assigned investigation and/or the department Victim Advocate will identify referral and support resources for victims of human trafficking. In cases of confirmed victims, various non-governmental agencies will need to be contacted to provide the extensive services required. Under no circumstances should the suspected victim be released on their own or to any other person without the concurrence of the CPD Intelligence Unit.
- 158.65 Multiple resources are available to victims of human trafficking that are attached to this policy in the form of an addendum.
- 158.70 Communications Center personnel shall receive training related to Human Trafficking to increase situational awareness when evaluating calls for service. Communication Center call takers shall include in the call notes any articulable suspicions of human trafficking so dispatchers can relay that information to field units via established dispatch protocols.
- 158.80 Arrest and Prosecution of cases related to Human Trafficking** – Human trafficking investigations can be extremely intensive and cover multiple jurisdictions. In virtually every case, assistance will be required from State and Federal law enforcement and prosecutors. Prosecution may occur under either state or federal law. The Office of the State Attorney for the 6<sup>th</sup> Judicial Circuit has trained investigators and prosecutors to assist law enforcement in human trafficking cases. Contact with state and/or federal prosecutors relating to human trafficking cases will be coordinated through the Intelligence Unit.
- 158.85 As in all criminal cases, officers and detectives are responsible for cooperating with prosecuting authorities. Due to the complexity and intensive nature of human trafficking cases, investigations may continue post arrest and until the prosecution phase is complete. The assigned investigator of a human trafficking case will be responsive to requests from state or federal prosecutors.

END.

ADDENDUM

**FREQUENTLY USED PHONE NUMBERS**

1. Trafficking Information and Referral Hotline ..... (888) 373-7888
2. Next Door Solutions to Domestic Violence ..... (408) 279-2962
3. Victim/Witness Assistance ..... (408) 295-2656
4. Community Solutions ..... (408) 779-2115
5. YWCA - Rape Crisis ..... (408) 287-3000
6. Federal Bureau of Investigation (FBI) ..... (408) 998-5633
7. Immigration and Customs Enforcement Bureau (ICE) ..... (408) 558-1056
8. Federal Trafficking Hotline ..... 1-(888) 428-7581
9. Officer Help Line (Crime Stoppers) ..... (408) 947-7867
10. Support Network ..... 1-(800) 572-2782
11. Asian Women’s Home ..... (408) 975-2739
12. Maltri (Southeast Asian Women) ..... 1-(888) 862-4874